[COMMITTEE PRINT]

LEGISLATIVE MANUAL

(5th Edition)

OF THE

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SECOND CONGRESS

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* Ranking Republican Member.

FOREWORD

MARCH 1991.

I am pleased to transmit the fifth edition of the Committee's Legislative Manual, as revised from the 1985 edition. The manual traces the course of a bill through the legislative process to its enactment into law.

Descriptions of the procedural steps normally encountered by the manager of legislation are provided, and include bill introduction, committee deliberation, House and Senate consideration, the resolution of differences, and Presidential action. House and Committee rules and procedures are noted throughout the text.

This document is intended as a guide to Members and staff of the Committee in following proper legislative procedures. It is my hope that it will be helpful in carrying out the legislative responsibilities of the Committee.

GEORGE E. BROWN, Jr.,
Chairman, Committee on Science, Space, and Technology.

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REFERENCES

Sources on Congressional Rules and Practice

1. "Constitution, Jefferson's Manual and Rules of the House of Representatives"

This manual is prepared for each Congress by the Parliamentarian of the House. In addition to the Constitution and Jefferson's manual, it includes principal rulings and precedents, the history and jurisdiction of each legislative committee, and other matters. Copies are distributed to each subcommittee.

2. "Deschler's Procedure in the U.S. House of Representatives"

This is a one-volume summary of the procedures in the House, and a condensed version of the modern precedents of the House, which picks up where "Cannon's Procedure in the House of Representatives" left off. It is updated at the end of each Congress. Copies are distributed to each subcommittee.

3. "How Our Laws Are Made"

This publication, printed by the House of Representatives, is a handbook providing a brief, but thorough outline of the law making process. Copies may be obtained from the House Judiciary Committee.

4. "Manual on Legislative Procedure in the United States House of Representatives"

This publication, prepared under the auspices of the Minority Leader, is a detailed and thorough review of legislative procedure in the House of Representatives. The Minority staff and Legislative Clerk have copies of the most recent edition (1986).

5. "Senate Procedure: Precedents and Practices"

This publication contains rulings by the presiding officer and practices which relate to procedure in the Senate. An appendix contains suggested forms for various procedures, e.g., filing motions, filing conference reports. The latest version was published in 1981. Updates are available through the Senate LEGIS system (House Members and staff are not able to access the Senate databases). A copy of the publication is available through the CRS Reading Room.

6. "Senate Manual"

This manual contains the standing rules, orders, laws and resolutions affecting the Senate. It also includes other matter, e.g., historical lists of Senators by State and class, Cabinet members, and Supreme Court Justices. Copy available from the Legislative Clerk.

KEEPING TRACK OF LEGISLATION

1. Congressional Record

The Congressional Record, in addition to providing an edited transcript of the activities on the floor of the House and Senate, provides a daily digest highlighting both floor and committee actions. Published each day Congress is in session, the Record also includes the time of the next session and a schedule of committee meetings. Indexes are published biweekly. Copies of the Congressional Record are distributed to interested staff. (Extra copies of the Record may be obtained from the Clerk's document room at x53300.)

The Record is also available on-line through the Member Information Network of the House Information System.

2. Legislative Calendar

The Committee Legislative Calendar, published annually, contains detailed legislative status information on the bills referred to this committee. Other information includes a listing of committee and subcommittee meetings, subcommittee bill referrals, a subject, short title and author index, and a list of the committee's publications. The Calendar is developed by the Legislative Clerk. Copies are distributed to committee members and staff.

A cumulative Committee Legislative Calendar is distributed regularly, to be maintained by each organizational unit of the Committee.

3. Calendars of the House of Representatives and History of Legislation

Prepared by the Clerk of the House each day the House is in session, this publication lists all House and Senate bills that have been reported, legislative histories of bills, and bills in conference. (Legislative Clerk keeps a copy.)

4. House Information Systems—Member Information Network

The following is a listing of databases which can be accessed through the House Information System and are useful in gathering information on legislation: Legis, Compilations of Acts, Congressional Quarterly, Congressional Record, Rules of the House, Text of Legislation, U.S. Code.

5. Digest of Public General Bills and Resolutions

Prepared by the Congressional Research Service, the publication is issued in several cumulative issues and supplements during each session. It provides summaries of each public bill and resolution and its current status. It is indexed by public law number, sponsor, subject, title, and identical bill number. Copies are kept by the Legislative Clerk. The information is also available on the computer through SCORPIO.

6. Senate Calendar of Business

Prepared by the Secretary of the Senate, the Calendar is published each day the Senate is in session. It provides a guide to the bills which have been reported, the status of bills in conference,

and a synopsis of action on all appropriations bills. Copies may be picked up in the Secretary of the Senate's office, S 208, Capitol.

7. Congressional Quarterly (Private Publication)

This service provides current information on congressional activities, the work of committees, progress of major bills, voting and activities of individual Members, news events affecting Congress, and some of the activities of the executive branch. The reports also provide background information on topical issues. Congressional Quarterly often produces collections of research reports on special subjects. Copies are received weekly by the committee.

8. U.S. Code Congressional and Administrative News (Private Publication)

This publication, issued monthly, provides highlights of major issues before the Congress, and summaries of major pending legislation. The publication also contains reprints of public laws enacted during the Congress, recent Executive Orders, Presidential messages, and Proclamations and Administrative regulations. Cumulative Tables reflect U.S. Code and U.S. Code Annotated Classifications, amendments and repeals. Copies are kept in the Committee Library.

Legal Materials

1. "The Constitution of the United States of America; Analysis and Interpretation"

Prepared by the American Law Division, CRS, this publication presents the Constitution of the United States annotated by cases decided by the Supreme Court interpreting its provisions. It was revised to include all Supreme Court cases to June 29, 1972 and issued as Senate Document 92-82; it is to be revised every ten years. A cumulative supplement is issued biennially. Each Member is authorized a copy.

2. "United States Code Annotated" (Private Publication)

This publication presents the codification of the general and permanent laws of the United States, annotated by court decisions and several editorial features. Annual pocket parts and monthly updates supplement the basic edition. A set is maintained in the Committee Library.

3. "United States Statutes at Large"

Prepared by the Federal Register, this publication is a compilation of all public and private laws, concurrent resolutions passed by the Congress, and Presidential proclamations. Also contained within are proposed and approved amendments to the Constitution, and Reorganization plans proposed by the President. The Statutes at Large is published annually (the most recent volume is 1989) and is available in the Rayburn Reference Center or the Committee Library.

Before binding, each law is printed separately by the GSA. The "slip law," available from 4-6 weeks following Presidential approval, reflects the public law number, bill number, date of approval,

text of legislation as approved, a brief legislative history, and citations to laws and U.S. Code classifications.

4. Code of Federal Regulations (CFR)

The CFR is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The CFR is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas. A set is maintained in the Committee Library.

5. Compilation of Public Laws Reported by the Committee on Science, Space, and Technology

This compilation of public laws is complete from the Committee's inception in 1958 through the 100th Congress. Included in the compilation is a chart which cites the bills considered by the Committee which were enacted as public law, and the United States Code citations to the public law. This compilation was developed to assist in legislative activities of the members and staff. The two volume set is available through the Committee Publications Clerk. A revision to update the compilation is under development.

SOURCES OF LEGISLATION

Only Members of Congress may introduce legislation, although the sources for legislative proposals are unlimited. It is advisable when drafting legislation to have the purposes and intent clearly in mind. The office of the Legislative Counsel can provide valuable advice and put the proposition in proper form.

Legislative proposals by the Administration are sent to the Congress in the form of "executive communications." A draft of proposed legislation is sent from the President, Department or Agency to the Speaker who then refers the communication to the committee or committee of appropriate jurisdiction. Notices of referral are printed daily in the Congressional Record. Following referral, the communication is delivered to the Legislative Clerk of the committee who circulates it to the pertinent staff. (Staff have usually received copies by this time.)

The Committee Chairman usually promptly introduces the draft bill in the form received, or he may make any necessary or desirable changes. When the draft is introduced in the form received the clause "(by request)" usually follows the Chairman's name on the bill cover to indicate the bill introduction is being made at the request of someone else.

Many of the annual authorization bills prepared by the Executive branch come to the committee in the form of executive communications.

Introduction of a proposed draft of legislation may be in the form received, or by first redrafting it to frame the ideas contained in the petition in suitable legislative language for introduction.

DRAFTING LEGISLATION

Forms of Legislation

Deschler* defines four forms of legislation in the House. These are described as follows:

(1) "H.R. ——" A *House bill* is used for purposes of general legislation, and is the usual form for the consideration of legislative proposals. Enactment requires passage by both Houses and approval by the President. Bills may originate in either the House or Senate, except those bills providing for the raising of revenue, which must be introduced in the House of Representatives (Article I, Constitution). General appropriation bills also originate in the House of Representatives. "H.R." stands for "House of Representatives," and not "House Resolution."

---

* Deschler's Procedure in the U.S. House of Representatives, 97th Congress, Ch. 24.

(2) "H.J. Res. ——" A *House Joint Resolution* is treated exactly the same way as an H.R. numbered bill. The H.J. Res. is traditionally used to change either a minor item in an existing law or to handle a matter of urgency which requires speedy action. The term "joint" does not signify simultaneous introduction and consideration in both Houses.

(3) "H. Con. Res. ——" A *House Concurrent Resolution* is used to express a non-legislative point of view of the Congress. A concurrent resolution must be approved by both Houses, although it does not require Presidential approval. On approval by both Houses, a concurrent resolution is published in a special part of the Statutes at Large.

(4) "H. Res. ——" A simple *House Resolution* deals with internal matters affecting the House of Representatives. It may also be used to express a non-legislative point of view of the House. A House Resolution does not require approval by the Senate or the President. Rules governing the consideration of bills on the House Floor, as well as committee budgets, are examples of House Resolutions. Resolutions are printed in the Congressional Record.

Examples of each of the above forms follow.

In the Senate, the comparable forms are:

(1) "S. ——"

(2) "S.J. Res. ——"

(3) "S. Con. Res. ——"

(4) "S. Res. ——"

SAMPLE - HOUSE BILL

I

101ST CONGRESS
1ST SESSION

H. R. 2153

To authorize appropriations for environmental research, development, and demonstration for fiscal years 1990 and 1991.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 1989

Mr. ROE (by request) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

---

A BILL

To authorize appropriations for environmental research, development, and demonstration for fiscal years 1990 and 1991.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act of 1989".

SEC. 2. (a) There are authorized to be appropriated to the Environmental Protection Agency for environmental research, development, and demonstration activities:

(1) $26,306,500 for fiscal year 1990, and such sums as may be necessary for fiscal year 1991 for ac-

SAMPLE - HOUSE JOINT RESOLUTION

IA

101ST CONGRESS
1ST SESSION

H. J. RES. 316

To commemorate the 50th anniversary of the National Aeronautics and Space Administration Ames Research Center.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 1989

Mr. MINETA (for himself and Mr. CAMPBELL of California) introduced the following joint resolution; which was referred jointly to the Committees on Science, Space, and Technology and Post Office and Civil Service

---

JOINT RESOLUTION

To commemorate the 50th anniversary of the National Aeronautics and Space Administration Ames Research Center.

Whereas Santa Clara County, California, is the home of the National Aeronautics and Space Administration Ames Research Center;

Whereas the NASA Ames Research Center supports America's goals and has a long tradition of award-winning advances in aeronautical, space, and life science research;

Whereas the NASA Ames Research Center is a world leader in the utilization of supercomputers for computational analysis of fluid flow and such Center operates one of the most powerful supercomputer complexes in the world;

SAMPLE - HOUSE CONCURRENT RESOLUTION

IV.

101ST CONGRESS
1ST SESSION

H. CON. RES. 201

Commending NASA and the Jet Propulsion Laboratory for the continuing successes of the Voyager space missions to the outer solar system.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1989

Mr. NELSON of Florida submitted the following concurrent resolution; which was referred jointly to the Committees on Post Office and Civil Service and Science, Space, and Technology

---

CONCURRENT RESOLUTION

Commending NASA and the Jet Propulsion Laboratory for the continuing successes of the Voyager space missions to the outer solar system.

Whereas Voyager I and Voyager II were launched by NASA to the outer solar system in September and August of 1977, respectively;

Whereas Voyager I's closest approach to Jupiter occurred in March 1979, with Voyager II reaching its closest Jupiter approach in July 1979, and at Jupiter the Voyager spacecraft made numerous important scientific discoveries, including active volcanoes on the Jovian Moon Io, a thin dust ring circling the planet, and three new moons;

Whereas Voyager I's closest approach to Saturn occurred in November 1980, with Voyager II reaching its closest

SAMPLE - HOUSE RESOLUTION

IV

101ST CONGRESS
1ST SESSION

H. RES. 197

To commemorate the twentieth anniversary of mankind's first lunar landing.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 1989

Mr. ROE (for himself, Mr. NELSON of Florida, Mr. WALKER, and Mr. SENSENBRENNER) submitted the following resolution; which was referred jointly to the Committees on Science, Space, and Technology, and Post Office and Civil Service

---

RESOLUTION

To commemorate the twentieth anniversary of mankind's first lunar landing.

Whereas on July 20, 1969, America's lunar module, Eagle, landed on the Moon;

Whereas this event marked a major milestone in the history of civilization;

Whereas this momentous occasion will live forever in the memory of millions of people around the globe who witnessed it on television;

Whereas this historic space mission was carried out by three American astronauts, Commander Neil A. Armstrong, command module pilot Michael Collins, and lunar module pilot Edwin E. Aldrin;

Drafting a Bill

An essential part of the process of drafting legislation is the basic articulation of the policy, or problem, which is sought to be resolved by the legislation. In addition, the methods and practice of implementing the policy must be carefully thought through and developed. The Office of the Legislative Counsel can assist staff in determining the appropriate legislative vehicle to accomplish desired goals, as well as provide support to staff in the actual drafting of legislation. The Office of the Legislative Counsel is located in 136 Cannon, x56060.

COMPONENTS OF A BILL

There is no standard format or arrangement to follow in the drafting of the bill, although certain elements are commonly found in legislative proposals. Some of these components and a basic description of them follow:

1. *Bill Number* (e.g., H.R. 4312, H. Res. 22).—Bills and Resolutions are assigned a unique number of chronological order, beginning with each new Congress. The form of legislation, e.g., H.R. or H. Res. (see page 7 on "Forms of Legislation"), is identified along with the bill number.

2. *Title of the Bill.*—The bill title briefly describes the general purpose of the legislation.

3. *Enacting Clause.*—The enacting clause ("Be it enacted by the Senate and House of Representatives . . .") prefaces all bills and introduces the legislative text as that which has been adopted by the House and Senate.

4. *Short Title.*—The inclusion of an abbreviated version of the formal title may be convenient for reference purposes.

5. *Congressional Findings.*—A brief statement of congressional findings may be useful to explain the general reasons or conditions for the legislation.

6. *Statement of Purpose.*—The statement of purpose describes the general objectives of the legislation. Sometimes it is combined with the statement of findings, described above.

7. *Definitions.*—Definitions are frequently provided to clarify some of the terms found in the legislation. They can also be helpful in clarifying the scope of the proposal. They are also sometimes included to minimize repetitious usage of terms which appear throughout the text of a bill.

8. *Statement of Policy.*—The legislation may seek to declare a national, or congressional policy with respect to the subject being considered. A policy statement may be set out separately, apart from other provisions which set forth programs, reporting requirements, authorizations of appropriations, and so forth.

9. *Main Body of the Bill.*—The main body of a bill may consist of any, none or all of the following components:

a. Program plan, specifications;
b. Creation of an agency, council;
c. Details related to tenure, salary;
d. Responsibilities of the characters (e.g., agency head(s));
e. Reporting requirements;
f. Administrative and judicial review provisions;

g. Repeal provisions;
h. Authorization of Appropriations;
i. Duration of legislation;
j. Effective date clause.

PREPARATION OF BILL FOR FILING IN THE HOUSE

When the bill draft is ready for introduction, staff should route the bill through the Legislative Clerk for preparation of a title page in the form required by the House. (See sample form, page 13.) The bill draft will be returned to the staff member for the sponsoring Member's signature.

Staff should always make a duplicate copy of the final bill draft.

SAMPLE -- FINAL BILL PREPARATION CHECKLIST

1. _____ CONGRESS
_____ SESSION

H.R. 2. _____

3. _____
(Original signature of Member)

Insert title here ☞ 5.

IN THE HOUSE OF REPRESENTATIVES

4. _____, 19____

Insert sponsor's names here ☞ 6.

When a bill draft is ready to be introduced in the House, the Legislative Clerk prepares it for introduction using this form.

1. Identify Congress and Session, e.g., 101st, 1st Session
2. Leave blank. The bill number is assigned by the House Bill Clerk.
3. The primary sponsor's original signature must appear here. A signature which has been duplicated will not be accepted by the House Bill Clerk. This is for the protection of the Member.
4. Leave Blank. The date is filled in later.
5. Full title of bill appears here.
6. Name of original sponsor appears first, followed by cosponsors listed in desired order, e.g., alphabetical or seniority order.

Bill forms are kept by the Legislative Clerk.

A BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SPONSORSHIP AND COSPONSORSHIP

(Rule XXII, Cl. 4)

Sponsorship at the Time of Introduction

Although the sources for legislative proposals are unlimited, only Members of Congress may introduce legislation. All bills and resolutions must be signed by the primary sponsor of the legislation to be accepted for introduction. A Member may wish to add the words "by request" if the Member is introducing a bill at the request of another party (e.g., an Administration proposal).

If there are cosponsors at the time of bill introduction, a list of cosponsor names should accompany the bill when it is dropped in the hopper. There is no limit on the number of cosponsors which may be added. Cosponsors are not required to sign the bill or take any other action to record the cosponsorship. The printed bill will reflect the names of the sponsor and the cosponsors recorded at the time of the bill's introduction.

A Member seeking additional cosponsors of a bill may do so in a number of ways. Staff may be requested to make telephone calls to other Members' offices, or a Member may prefer to send a "Dear Colleague" letter requesting that Members desiring to cosponsor a bill should call his office by a particular date.

Adding Cosponsors Following Bill Introduction

Cosponsors may also be added after the bill has been introduced. The form on page 17, available from the Legislative Clerk, should be used to submit the names of additional cosponsors. The form, signed only by the original sponsor, should be dropped in the hopper when the House is in session. The Legislative Clerk keeps a current listing of the Committee's bills.

Once the bill has been printed, names of additional cosponsors will appear in the Congressional Record for that day. Cosponsors added following the bill's introduction will be reflected on the bill only if (1) the Committee takes some legislative action (e.g., reporting the bill) which requires the bill's reprinting, or (2) the original sponsor makes a request to the Speaker for the bill's reprinting, and at least twenty cosponsors have been added since the last reprinting.

Deleting Cosponsors

A Member may wish to delete his name as a cosponsor of a bill, perhaps if the bill has undergone substantive amendment. If so, the Member, on the House floor, asks unanimous consent to have his name deleted as a cosponsor. The name of the original sponsor may not be deleted. As described in the previous section, a record of co-

sponsor deletion will appear only in the Congressional Record, unless there is some legislative activity or a special request to the Speaker from the original sponsor for a subsequent printing of the bill.

SAMPLE -- COSPONSORSHIP REQUEST FORM

U.S. House of Representatives

101st Congress Date:_____ _____

Pursuant to Rule XXII, Clause 4 of the Rules of the U.S. House of Representatives, the following sponsors are hereby added to:

H.R. _____ H. Con. Res. _____

H. Res. _____ H. J. Res. _____

1.	21.
2.	22.
3.	23.
4.	24.
5.	25.
6.	26.
7.	27.
8.	28.
9.	29.
10.	30.
11.	31.
12.	32.
13.	33.
14.	34.
15.	35.
16.	36.
17.	37.
18.	38.
19.	39.
20.	40.

_____

Signature of Original Sponsor

INTRODUCING A BILL

Procedure in the House

A bill may be introduced anytime the House is sitting by dropping one copy of the bill in the "hopper" at the Clerk's desk in the House Chamber. If the Member sponsoring the bill is unable to deliver the bill, staff may take the bill to the Doorkeeper on the Majority side, who will drop the bill in the "hopper." Do not use the page service to drop in bills; rather, it should be hand delivered by the staff person or Member.

A Member is not required either to make a floor statement or to request permission on the House Floor when introducing a bill. As mentioned earlier, the only requirement is that the bill be signed by the sponsoring Member.

The bill is assigned a legislative number by the House Bill Clerk and referred to the appropriate committee(s) by the Speaker, with the assistance of the Parliamentarian. The bill number and title, along with the sponsor(s)' names and committee to which it is referred, will appear in that day's Congressional Record.

If it is necessary to know the bill number to be assigned prior to the printing of the Congressional Record (for markup purposes, for instance), make arrangements for the Legislative Clerk to drop in the measure and to secure, if possible, a number at that time. Bill numbers are normally assigned by the Bill Clerk at the end of each day, and may be obtained by calling x57598. (NOTE: the Tally Clerk assigns numbers to House Reports. This information may be obtained by calling x57347.)

Printing and Copies

A duplicate copy of the bill should be made prior to introduction in order that it may be proofed against the new printed version. In the event that major errors appear in the bill, a "star print" can be requested by the Chief Counsel from the GPO, but *only* if the GPO is at fault for *substantive errors*.

The bill is, at the time of introduction, sent to the GPO which prints the bill within 5–7 days. The GPO prints 150 copies for committee use. Additional copies of bills may be obtained from House Document Room (x53874/5). If it is extremely important that additional copies of the bill be obtained, see the Legislative Clerk prior to the time of introduction. A letter must be sent from the Chairman of the Committee to the Superintendent of the House Document Room on the day the bill is introduced. (See sample, page 21.) The bill number must be included in this letter. It should be hand delivered to the House Document Room, H226, Capitol. Staff should be aware that requests for additional copies are not always honored.

Priority Printing: If you need a bill printed in less than the normal 5–7 day period, for instance for markup, see the Legislative Clerk. This request must be *reserved for emergency situations only.* The ultimate decision is made by the House Bill Clerk, who assigns first printing priority to bills to be considered on the House Floor and Rules Committee.

SAMPLE -- REQUEST FOR ADDITIONAL COPIES OF BILL*

ROBERT A. ROE, New Jersey, CHAIRMAN

GEORGE E. BROWN, Jr., California
JAMES H. SCHEUER, New York
MARILYN LLOYD, Tennessee
DOUG WALGREN, Pennsylvania
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WOLPE, Michigan
BILL NELSON, Florida
RALPH M. HALL, Texas
DAVE McCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
RICK BOUCHER, Virginia
TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
JAMES A. TRAFICANT, Jr., Ohio
LEE H. HAMILTON, Indiana
HENRY J. NOWAK, New York
CARL C. PERKINS, Kentucky
TOM McMILLEN, Maryland
DAVID E. PRICE, North Carolina
DAVID R. NAGLE, Iowa
JIMMY HAYES, Louisiana
DAVID E. SKAGGS, Colorado
JERRY F. COSTELLO, Illinois
HARRY JOHNSTON, Florida
JOHN TANNER, Tennessee
GLEN BROWDER, Alabama

ROBERT S. WALKER, Pennsylvania
F. JAMES SENSENBRENNER, Jr., Wisconsin
CLAUDINE SCHNEIDER, Rhode Island
SHERWOOD L. BOEHLERT, New York
TOM LEWIS, Florida
DON RITTER, Pennsylvania
SID MORRISON, Washington
RON PACKARD, California
HUBERT C. SMITH, New Hampshire
PAUL B. HENRY, Michigan
HARRIS W. FAWELL, Illinois
D. FRENCH SLAUGHTER, Jr., Virginia
LAMAR SMITH, Texas
JACK BUECHNER, Missouri
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SMITH, Connecticut
DANA ROHRABACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID D. CLEMENT
Republican Chief of Staff

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6371

November 2, 1989

Jerry Walsh, Manager
House Document Room
U.S. Capitol
Washington, D.C. 20515

Dear Mr. Walsh:

I respectfully request that 200 additional copies of H.R. 000, cited as the "insert short title of measure, or description derived from long title of the measure" here, be printed for the use of the Committee on Science, Space, and Technology.

Thank you for your attention.

Sincerely,

ROBERT A. ROE
Chairman

**Use this same format for additional copies of reports.*

REFERRAL OF BILLS TO COMMITTEE

(Rule X, Cl. 5)

Procedure in the House

Every bill and resolution is referred by the Speaker, with the assistance of the Parliamentarian, to the committee(s) of appropriate jurisdiction, as outlined in Rule X, Clause 1, of the Rules of the House of Representatives. The Committee on Science, Space, and Technology's legislative and oversight jurisdiction is reflected on page 24.

The Speaker may refer the matter simultaneously to two or more committees for concurrent consideration, or consecutively to two or more committees for sequential consideration. Or he may divide the matter into two or more parts to reflect the division of jurisdictions. Finally, the Speaker may refer a bill to a special ad hoc committee appointed by the Speaker with the approval of the House.

Notice of referrals, along with the bill number, title and sponsor, appear in the daily Congressional Record, at the end of the House proceedings.

Joint Referrals

If the subject matter of a bill cuts across jurisdictional lines of two or more committees, it is usually referred to all committees of appropriate jurisdiction for joint consideration. Usually, floor consideration of the bill is not scheduled until all committees have reported the bill; however, a bill can be brought to the floor without being reported by all committees to which it was referred. Committees who seek to move the legislation may be successful in agreeing with another committee which was conferred jurisdiction to agree to an exchange of letters or to waive jurisdiction. Another procedure would be to make a unanimous consent request on the floor of the House, which is ordered without objection. Still another procedure would be to seek a rule from the Rules Committee for floor consideration.

Sequential Referrals

The House Rules permit the Speaker to refer a bill to committees for sequential consideration, and to set a time limit for reporting on the first referral of a bill, as well as on subsequent referrals.

A request for sequential referral of a bill is made by letter from the Chairman of the Committee to the Speaker, and should be made before the first committee to whom the bill was referred has reported the bill (that is, filed the legislative report in the House). The Speaker rules on such a referral request between the time the

first committee(s) orders the bill reported and files the legislative report in the House. (See sample letter on page 27.) A request for sequential referral may also be made to the Speaker based on a Committee amendment(s) to the bill as reported. While a timely request is helpful, generally the request can only be soundly based after the Committee legislative report explaining the amendment has been filed.

Erroneous Referrals (Rule XXII)

The erroneous referral of a bill does not confer jurisdiction on the receiving committee; however, if the error remains uncorrected, the committee may act on that bill. Although it is too late to move a change of reference after such committee has reported a bill, the Speaker may refer a bill sequentially after the first committee has reported it.

Correction of an erroneous referral may be made on the House floor by a unanimous consent request or motion of the committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred. Correction of such error may be made by the House without debate.

Notice of erroneous referral should be made by letter from the Chairman to the Speaker, through the Parliamentarian.

Legislative and Oversight Jurisdiction of the Committee on Science, Space, and Technology

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"RULE X. ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

"The Committees and Their Jurisdiction

"1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

* * * * * * *

"(r) Committee on Science, Space, and Technology.

"(1) Astronautical research and development, including resources, personnel, equipment, and facilities.

"(2) Bureau of Standards, standardization of weights and measures and the metric system.

"(3) National Aeronautics and Space Administration.

"(4) National Aeronautics and Space Council.

"(5) National Science Foundation.

"(6) Outer space, including exploration and control thereof.

"(7) Science scholarships.

"(8) Scientific research and development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

"(9) Civil aviation research and development.

"(10) Environmental research and development.

"(11) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

"(12) National Weather Service.

"In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(f) with respect to all nonmilitary research and development."

* * * * * * *

"SPECIAL OVERSIGHT FUNCTIONS

"3. (f) The Committee on Science, Space, and Technology shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving nonmilitary research and development."

102D CONGRESS

Titles of Senate and House Committees

SENATE

Committee on Agriculture, Nutrition, and Forestry
Committee on Appropriations
Committee on Armed Services
Committee on Banking, Housing, and Urban Affairs
Committee on the Budget
Committee on Commerce, Science, and Transportation
Committee on Energy and Natural Resources
Committee on Environment and Public Works
Committee on Finance
Committee on Foreign Relations
Committee on Governmental Affairs
Committee on the Judiciary
Committee on Labor and Human Resources
Committee on Rules and Administration
Committee on Small Business
Committee on Veterans' Affairs

HOUSE

Committee on Agriculture
Committee on Appropriations
Committee on Armed Services
Committee on Banking, Finance and Urban Affairs
Committee on the Budget
Committee on the District of Columbia
Committee on Education and Labor
Committee on Energy and Commerce
Committee on Foreign Affairs
Committee on Government Operations
Committee on House Administration
Committee on Interior and Insular Affairs
Committee on the Judiciary
Committee on Merchant Marine and Fisheries
Committee on Post Office and Civil Service
Committee on Public Works and Transportation
Committee on Rules
Committee on Science, Space, and Technology
Committee on Small Business
Committee on Standards of Official Conduct
Committee on Veterans' Affairs
Committee on Ways and Means

JOINT COMMITTEES

Joint Committee on the Library
Joint Committee on Printing
Joint Committee on Taxation
Joint Economic Committee

SELECT AND SPECIAL COMMITTEES

House

Permanent Select Committee on Intelligence
Select Committee on Aging
Select Committee on Children, Youth, and Families
Select Committee on Hunger
Select Committee on Narcotics Abuse and Control

Senate

Select Committee on Ethics
Select Committee on Indian Affairs
Select Committee on Intelligence
Special Committee on Aging

SAMPLE -- REQUEST FOR SEQUENTIAL REFERRAL

ROBERT A. ROE, New Jersey, Chairman
GEORGE E. BROWN, Jr., California
JAMES H. SCHEUER, New York
MANUEL LUJAN, New Mexico
DOUG WALGREN, Pennsylvania
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WOLPE, Michigan
BILL NELSON, Florida
RALPH M. HALL, Texas
DAVE MCCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
NICK JOE RAHALL II, West Virginia
TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
JAMES A. TRAFICANT, Jr., Ohio
LEE H. HAMILTON, Indiana
JOHN J. ROONEY, New York
CARL C. PERKINS, Kentucky
TOM MANATLLEN, Maryland
DAVID E. PRICE, North Carolina
DAVID R. NAGLE, Iowa
JIMMY HAYES, Louisiana
DAVID D. BLAGGS, Colorado
JERRY F. COSTELLO, Illinois
HARRY JOHNSTON, Florida
JOHN TANNER, Tennessee
GLEN BROWDER, Alabama

ROBERT S. WALKER, Pennsylvania
F. JAMES SENSENBRENNER, JR., Wisconsin
CLAUDINE SCHNEIDER, Rhode Island
SHERWOOD L. BOEHLERT, New York
TOM LEWIS, Florida
DON RITTER, Pennsylvania
SID MORRISON, Washington
RON PACKARD, California
ROBERT C. SMITH, New Hampshire
PAUL B. HENRY, Michigan
ANDREW W. FAWELL, Illinois
D. FRENCH SLAUGHTER, JR., Virginia
LAMAR SMITH, Texas
JACK BUECHNER, Missouri
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SMITH, Connecticut
SAM NUNN BACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID D. CLEMENT
Republican Chief of Staff

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 226-6371

September 18, 1989

The Honorable Thomas S. Foley
Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker,

I am writing to request sequential referral of H.R. 1465 which was recently amended and ordered reported from the Committee on Merchant Marine and Fisheries. The Act has been cited as the "Oil Pollution Liability and Compensation Act of 1989." This bill deals with matters relating to the subjects within the jurisdiction of the Committee on Science, Space, and Technology and should be referred to the Committee pursuant to Rule X, clause 1(r) of the rules of the House of Representatives.

The Committee on Science, Space, and Technology has been delegated jurisdiction under Rule X, clause 1(r) of the Rules of the House of Representatives. This jurisdiction extends to "all bills...relating to...

> "(8) Scientific research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.
>
> "(10) Environmental research and development."

On July 27, 1989 The Committee on Science, Space, and Technology received a joint referral on H.R. 3027. The Act has been cited as the "Oil Pollution Prevention, Response, Liability, and Compensation Act of 1989". The Subcommittee on Natural Resources, Agriculture Research, and Environment held a hearing on Oil Spill Research on September 7, 1989 and amended the bill in Subcommittee on September 12, 1989. The Subcommittee amended the research and development program that was established under section 214 of the bill as reported.

As amended and ordered reported by the Merchant Marine and Fisheries Committee, the research program established under Section 4206 of H.R. 1465 is very similar to the research program established under H.R. 3027. The two sections are similar by the research and development that is to be conducted on (1) methods to prevent or minimize the discharges of oil from vessels and facilities; (2) methods to protect public health and safety; (3) adequate worker training standards for discharge removal personnel; (4) methods to restore and rehabilitate natural resources damaged by a discharge of oil; and (5) the long-term effects of a discharge of oil on natural resources.

The research and development section of H.R. 1465 relates specifically to the activities under the jurisdiction of the Committee on Science, Space, and Technology. The Committee requests a sequential referral to examine the research and development section before the bill is considered by the House of Representatives. A full Committee mark-up of H.R. 3027 is scheduled for tomorrow, September 19, so that our Committee actions will not impede the forward progress of this important legislation. By receiving sequential referral of H.R. 1465 the Committee will be able to act on the actual legislation going to the floor, thereby improving the process of consideration.

Thank you for your consideration of this request.

Sincerely,

ROBERT A. ROE
Chairman

RAR:jb

SUBCOMMITTEE REFERRAL

Committee Procedure

All bills and resolutions referred to the Committee appear daily in the Congressional Record.

All legislation referred to the Committee will be referred to the subcommittee(s) of the appropriate jurisdiction within two weeks, unless, by consent of a majority of the Majority Members of the full committee, consideration is to be made by the full committee (Committee Rules Governing Procedure).

A brief letter written to the Subcommittee Chairman over the Chief Counsel's signature relates the Chairman's request that the bill be referred to the Subcommittee. Copies of the referral letter and bill are distributed to the subcommittee staff. These copies serve as notice to the Subcommittee staff, and gives them an opportunity to request agency comments on the legislation. A sample referral letter appears on page 30.

Referrals

If a subcommittee feels a joint or sequential referral of a bill is warranted, a request should be made to the Chief Counsel. This usually takes the form of a memorandum, so that such justification of referral can be made part of the permanent record. The jurisdiction of subcommittees is set out in Rule 26 of the Committee's Rules Governing Procedure, which is attached as Appendix I.

SAMPLE -- SUBCOMMITTEE REFERRAL LETTER

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
U.S. House of Representatives
Washington, D.C. 20515

March 9, 1990

The Honorable Bill Nelson, Chairman
Subcommittee on Space Science and Applications
Washington, D.C. 20515

Dear Mr. Chairman:

Chairman Roe has requested the referral of the following bill to your subcommittee:

> *H.R. 4196, the National Aeronautics and Space Administration Authorization Act, 1991.*

H.R. 4196 has also been referred to the Subcommittee on Transportation, Aviation and Materials. A copy of the bill is attached.

Sincerely,

John Doyle

John S. Doyle, Jr.
Chief Counsel

JSD/pt
Attachment (1)

EXECUTIVE BRANCH REVIEW OF LEGISLATION

At the time of subcommittee referral of a bill, the Subcommittee Staff Director will determine whether Executive Department comments are desired on a piece of legislation. These requests should be limited to bills on which the subcommittee has a reasonable expectation of further action. This request is a brief letter written under the Subcommittee Chairman's signature (see page 32). The Staff Director should indicate if comments are desired by a certain date.

Depending on the future course of a bill, staff may wish to follow up this initial request for evaluation by writing a more detailed letter to the Department or Agency, under the Subcommittee Chairman's signature, or by establishing telephone contact with the appropriate office. If receipt of a legislative evaluation is essential, it is recommended that subsequent contact be made with the appropriate offices.

Executive Agency evaluations are routinely routed through the Office of Management and Budget (OMB) to determine whether the bill is consistent with the program of the President. These reports are not binding on the committee in determining whether or not to act favorably on the bill.

When received, agency comments are circulated to pertinent staff.

Since executive comments are filed with the legislative history and are summarized (e.g., favorable, unfavorable, suggests amendments) and entered in the Legislative Calendar, request letters and copies of responses must be provided to the Legislative Clerk.

SAMPLE -- REQUEST FOR EXECUTIVE BRANCH REVIEW OF LEGISLATION LETTER

ROBERT A. ROE, New Jersey, CHAIRMAN

GEORGE E. BROWN, Jr., California
JAMES H. SCHEUER, New York
MARILYN LLOYD, Tennessee
DOUG WALGREN, Pennsylvania
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WOLPE, Michigan
BILL NELSON, Florida
RALPH M. HALL, Texas
DAVE McCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
RICK BOUCHER, Virginia
TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
JAMES A. TRAFICANT, Jr., Ohio
LEE H. HAMILTON, Indiana
HENRY J. NOWAK, New York
CARL C. PERKINS, Kentucky
TOM McMILLEN, Maryland
DAVID E. PRICE, North Carolina
DAVID R. NAGLE, Iowa
JIMMY HAYES, Louisiana
DAVID E. SKAGGS, Colorado
JERRY F. COSTELLO, Illinois
HARRY JOHNSTON, Florida
JOHN TANNER, Tennessee
GLEN BROWDER, Alabama

ROBERT S. WALKER, Pennsylvania
F. JAMES SENSENBRENNER, Jr., Wisconsin
CLAUDINE SCHNEIDER, Rhode Island
SHERWOOD L. BOEHLERT, New York
TOM LEWIS, Florida
DON RITTER, Pennsylvania
SID MORRISON, Washington
RON PACKARD, California
ROBERT C. SMITH, New Hampshire
PAUL B. HENRY, Michigan
HARRIS W. FAWELL, Illinois
D. FRENCH SLAUGHTER, Jr., Virginia
LAMAR SMITH, Texas
JACK BUECHNER, Missouri
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SHAYS, Connecticut
DANA ROHRABACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID C. CLEMENT
Republican Chief of Staff

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6371

November 2, 1989

Admiral Richard H. Truly
Administrator
National Aeronautics and Space Administration
Washington, D.C.

Dear Admiral Truly:

H.R. 000, "insert short title, or brief description of measure derived from long title here", has been referred to the Committee on Science, Space, and Technology. The purpose of the legislation is to "insert appropriate words."

I am enclosing a copy of H.R. 000 for your review and would appreciate your comments. The views and recommendations of your Agency will be helpful to my Subcommittee in its present consideration of this bill.

Thank you for your cooperation. I shall look forward to hearing from you at your earliest convenience.

Sincerely,

BILL NELSON
Chairman
Subcommittee on Space
Science and Applications

HEARINGS ON PROPOSED LEGISLATION

Subcommittees may choose to conduct hearings on a legislative proposal either before or after a bill's introduction.

The nature of the legislation will determine how the subcommittee wishes to conduct its hearings.

Hearings should be scheduled so that there is an opportunity to review the proposal carefully, and that all responsible points of view are heard.

Sometimes full Committee hearings are used as an alternative approach when the bill overlaps Subcommittee jurisdictions.

All hearings are to be conducted in accordance with the Committee Rules Governing Procedure.

MARKUP

General Information Related to Markup

COMMITTEE RULES GOVERNING PROCEDURE

Meetings of Subcommittees and the Full Committee are conducted in accordance with the Committee Rules Governing Procedure, a copy of which forms Appendix I of this manual.

In addition to the Committee Rules, the Committee has in effect certain procedures which concern the permission to sit request, proxies and committee minutes and records:

PERMISSION TO SIT (Rule XI, Cl. 2(i))

The House Rules require most committees to file for permission to sit when the House is reading a measure for amendment under the five-minute rule. A unanimous consent request must be made by the Member on the House floor, requesting special permission for the committee or subcommittee to sit. The Speaker has indicated the following guidelines concerning permission to sit.

If the request pertains to a day for which the legislative program has not been announced, permission can be granted only by unanimous consent.

If the floor agenda is known, ten (10) objections would be required. The preferred time for considering requests (for the following week) is the first available opportunity following announcement of the floor schedule. Otherwise, requests should be made during the 1 minute speech period at the beginning of the day. Staff should be sure to notify the staff of the Ranking Minority Member of pending requests. This practice is important to assure that the Member making the request is not embarrassed on the House floor.

If objections are raised, a second request may not be made the same day unless the objections have been withdrawn.

No requests will be entertained after the legislative business of the day has been concluded.

Staff should check the floor agenda to determine if a markup schedule will conflict with the floor schedule. If a conflict does occur, the request can be prepared by the staff and forwarded to the Subcommittee Chairman, or other Member, to file on the House floor.

A sample request appears on page 142.

PROXY PROCEDURE

Any Committee or Subcommittee Member including ex officio members may authorize a vote by proxy with respect to any measure or matter before the Committee or Subcommittee. Committee Rule 12 contains the proxy rule.

Proxies are sent in advance to Members requesting them, and sent to all Majority Members prior to a full committee markup by the Legislative Clerk. In any case, staff should have extra proxies on hand at any legislative meeting. They may be obtained from the Legislative Clerk. A sample proxy appears on page 38. The rules of the committee require that the proxy must:

(1) be in writing;

(2) assert that the Member is absent on official business or is otherwise unable to be present;

(3) designate the person who is to execute the proxy;

(4) be limited to a specific measure or matter and any amendments or motions pertaining to the measure or matter;

(5) be signed by the Member;

(6) be filed with the Legislative Clerk; and

(7) contain the date and time of day it is signed.

Any Member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. A proxy may not be counted for a quorum.

The following procedure is in effect at all markup meetings:

(a) All proxy authorizations will be filed with the Legislative Clerk prior to use and duly recorded in a proxy log.

(b) After recording, the proxy will be handed to the Member designated to execute the proxy.

(c) Separate proxy authorizations naming a primary and a secondary designee will be executed by the second-named Member only when the primary Member is absent from Committee proceedings.

(d) Following the proceedings during which the proxy is used, the Member executing the proxy will return it to the Legislative Clerk for filing with the minutes of the meeting.

Proxies should be retained by each subcommittee along with other records of the meeting. The Legislative Clerk retains all proxies that are filed during full committee meetings.

Minutes should note which Members voted proxy.

QUORUM REQUIREMENTS (Rule XI, Clause 2)

The House Rules require the presence of at least two committee Members to take testimony and receive evidence. Under Committee Rule 11, unless waived by the full committee chairman after consultation with the Ranking Republican Member, at least one Member from each of the majority and minority parties must be present to take testimony and receive evidence.

One-third of the committee Members constitute a quorum for all purposes except that a majority of the committee or subcommittee Members must be present in order to 1) close a meeting or hearing; 2) authorize the issuance of a subpoena; 3) order a measure or recommendation reported; or 4) table any legislation. Proxies may not be counted toward a quorum. Note however, that under Committee Rule 20 a majority of the Members present (in compliance with House Rules) may vote to close a hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Rule XI, 2(k)(5) (when it is asserted that the evidence or testimony at an investigatory hearing

may tend to defame, degrade, or incriminate any person). In addition, the committee or subcommittee may, by the same procedure, vote to close one subsequent day of hearing.

If a point of order is raised and sustained during any of the above proceedings, the record should reflect the establishment of a quorum in order to proceed.

SAMPLE -- PROXY AUTHORIZATION

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
U.S. House of Representatives
Washington, DC 20515

PROXY AUTHORIZATION

I, ..., M.C. do hereby

designate and authorize the Honorable .....

to cast my vote in my absence before the .....
(Committee/Subcommittee)

on .....
(specific measure or matter)

.....

.....

and any amendments or motions pertaining thereto, subject to the following limitations:

.....

.....

.....

.....

.....

This proxy may be used only on the following dates: .....

I hereby assert that my absence is because of:

Official business .....

Other .....
(Check one)

Executed this ..... day of ....., 19....., at the time of ..... a.m./p.m.

Signed .....
(Member of Congress)

NOTE: Rule 12 of the Rules Governing Procedure states: "Any Member may authorize a vote by proxy with respect to any measure or matter before the committee. Such proxy authorization shall be in writing, shall assert that the Member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his or her vote, filed with the Committee Clerk, and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum."

COMMITTEE RECORDS (Rule XI, Clause 2(e)(1))

The House Rules require each committee to keep a complete record of all committee action, to be available for public inspection as a reasonable time, which shall include:

(1) Record of votes on any question on which a roll call vote is demanded, including

Names of Members voting for,
Names of Members voting against,
Names of Members voting by proxy, and
Names of Members present but not voting.

(2) Description of amendments, motions, order or other proposition.

To facilitate the orderly consideration of amendments during a Committee markup an amendment roster is prepared. It is placed before each Member at the beginning of the markup, and lists, numbered in the order of expected consideration, the amendments to be offered to the measure(s) scheduled. The listing is backed up by the actual amendments, plus brief descriptions of intent when appropriate. After the markup the amendment roster becomes a record of the disposition of each amendment and measure, and includes the roll call votes.

Full Committee markup minutes are prepared by the Legislative Clerk.

Roll call sheets and voted proxies should be retained as part of the offical file of the meeting. For convenience, record votes are recorded by the court reporter and they appear in the transcripts. All staff Members are cautioned, however, not to depend on this for official vote results, which can best be obtained from a Roll Call sheet.

(See also *Committee Records and Guidelines,* Committee on House Administration, November, 1979.)

SAMPLE -- FULL COMMITTEE MARKUP MINUTES

Washington, D.C. 20515
October 19, 1989

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

The Committee convened, pursuant to notice, on Thursday, October 19, 1989, at 10:40 a.m., in room 2318 of the Rayburn building to consider the following measures:

1. H.R. 1216, the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989;
2. H.R. 2581, the Aviation Research Grant Act of 1989;
3. Subcommittee on Science, Research and Technology report: "Setting Priorities in Science and Technology"; and
4. Subcommittee on Science, Research and Technology report: "Oversight of the National Science Foundation for Fiscal Year 1990."

Mrs. Lloyd, Chairman of the Subcommittee on Energy Research and Development, and Mr. Valentine, Chairman of the Subcommittee on Transportation, Aviation and Materials, presented their Subcommittee reports on H.R. 1216. Both Subcommittee reports on H.R. 1216 were adopted by voice vote.

The amendment in the nature of a substitute reflecting the actions of both Subcommittees of jurisdiction was made in order as original text for markup purposes.

Mrs. Lloyd offered amendments en bloc to replace the term "cooperative research and development agreements" by "joint research and development venture" in Sections 3 and 6, thereby conforming the bill to the Senate companion version of the legislation. The amendments were agreed to by voice vote.

Mrs. Lloyd offered an amendment to increase the conservation funding for industrial energy efficiency, buildings and community systems, and multi-sector programs for FY 1991 by 4%. The amendment also authorizes the SP-100 program for FY's 1990 and 1991 at no less than $45 million in FY 1990, and $51 million in FY 1991. The amendment was adopted by voice vote.

Mr. Traficant offered an amendment that would add a Section 10 entitled, "Buy-American" Requirement. The amendment was adopted by voice vote.

Mr. Walker offered report language promoting within the Department of Energy a hydrogen research and development program. The report language was agreed to by voice vote.

A quorum being present, H.R. 1216 was ordered reported, amended, by voice vote. The staff was instructed to make any necessary technical and conforming changes in the preparation of the legislative report.

Mr. Valentine, Chairman of the Subcommittee on Transportation, Aviation and Materials, presented the Subcommittee report on H.R. 2581, which was adopted by voice vote.

The Committee Print reflecting the actions of the Subcommittee was made in order as original text for markup purposes.

Mr. Glickman offered an amendment to add "aging aircraft and structural integrity" as an area of special interest and research for the Federal Aviation Administration. The amendment was adopted by voice vote.

Mr. McMillen offered an amendment to add "aircraft noise abatement" as an area of special interest and research for the Federal Aviation Administration. The amendment was adopted by voice vote.

A quorum being present, H.R. 2581 was ordered reported, amended, by voice vote, and the staff was instructed to make any necessary technical and conforming changes in the preparation of the legislative report.

Mr. Walgren, Chairman of the Subcommittee on Science, Research and Technology, presented to the Committee two reports: "Setting Priorities in Science and Technology" and "Oversight of the National Science Foundation for Fiscal Year 1990." A quorum being present, both reports were adopted by the Committee by voice vote.

Mr. Walker, ranking Republican Member, moved that the Committee agree to the resignation of Mr. Henry of Michigan from the Subcommittee on Energy Research and Development, and his appointment to the Republican vacancy on the Subcommittee on Space Science and Applications. The motion included the appointment of Mr. Buechner of Missouri to the Subcommittee on Energy Research and Development. The motion was agreed to by voice vote.

The Committee adjourned at 11:45 a.m.

Carolyn L. Greenfeld

Carolyn C. Greenfeld
Chief Clerk

pt

SUBCOMMITTEE MARKUP

(A review of general rules and procedures related to markup is covered in the previous section, page 35).

When a subcommittee has concluded its hearings on a bill, a markup may be scheduled to consider any amendments to the legislation, and to decide the final action of the subcommittee on the legislation.

Member and staff activities prior to the markup normally include an extensive review of witness testimony from hearings on the bill, and consultation with agencies and other interested organizations on the legislation. Staff may wish to meet with subcommittee and other concerned Members and staff regarding the markup agenda, which may include a solicitation of proposed amendments.

MARKUP MATERIALS

Some of the materials staff can be expected to prepare for the subcommittee markup include the following:

Copies of bill to be marked up (Committee Print reflecting proposed amendments may be obtained from Printer with 24 hours notice and may be used, by unanimous consent, in lieu of bill at markup).

—Summary of hearings (and any other background material).

—Proposed committee views.

—Appropriate motions for subcommittee actions (see page 43).

ORDER OF BUSINESS

Subcommittee markup sessions tend to be less formal than full committee markup sessions. Members and staff may, for instance, prefer to conduct a roundtable discussion on the bill. The order of business is, of course, at the discretion of the Subcommittee Chairman. A typical agenda for the consideration of a bill might be as follows:

I. Convene Meeting—Opening Remarks, if any (Subcommittee Chairman).

II. Discussion of Bill (if Committee Print is used in lieu of bill, a unanimous consent request must be made to do so).

III. Bill open for amendment.

IV. Motion to report to full committee (The House Rules require the presence of a majority of the subcommittee to report a bill to the Full Committee).

COURSES OF ACTION

The subcommittee has several courses it may take on a bill in markup.

(a) Report the bill without amendment: The subcommittee makes *no* changes to the bill as introduced.

(b) Report the bill *with* an *amendment:* The subcommittee adopts (1) a singular amendment, or (2) an amendment in the nature of a substitute.

(c) Report the bill *with amendments:* The subcommittee adopts multiple amendments.

(d) Report a *clean bill* to the full committee: If a clean bill is reported to the full committee, the original bill, along with the subcommittee-approved amendments, is reintroduced in the House and assigned a new number. If the subcommittee has completed its markup of the bill, the bill is not referred to the subcommittee having jurisdiction but, rather, retained in the full committee when consistent with committee rules. (If a clean bill is to be dropped in, check with the Legislative Clerk to arrange a priority printing of the bill, if necessary).

(e) *Report unfavorably, or adversely:* This practice is out of the ordinary since the subcommittee will most likely choose not to hold a markup on a bill if the report is to be unfavorable.

(f) *Tabling the legislation:* Tabling a bill prevents or postpones action on the bill. (If an amendment to the bill is tabled, the entire bill is tabled). If the subcommittee does not intend to take further action on the bill, a markup will probably not be held in the first place.

SUBCOMMITTEE MARKUP MOTIONS

Staff may wish to prepare anticipated motions for Members' use in markup. The following sample motions are some of those typically used in subcommittee markup sessions.

Motion to Adopt Committee Views

"Mr. Chairman, I move that the proposed committee views be adopted by the subcommittee."

Motion to Report the Bill to Full Committee

"Mr. Chairman, I move that the subcommittee report the bill, H.R. —— (as amended). Furthermore, I move to instruct the staff to prepare the Subcommittee Report, to make technical and conforming amendments, and that the Chairman take all necessary steps to bring the bill before the full committee for consideration."

Motion to Introduce a Clean Bill

"Mr. Chairman, I move that a clean bill be prepared by the Chairman for introduction in the House for further consideration by the Committee."

SUBCOMMITTEE REPORT

The subcommittee must present to the full committee its findings and recommendations on a bill it has reported. Although the House Rules do not require that this be a formal report (as is the Committee Legislative Report on a bill), it is customary on this committee that a subcommittee's findings and recommendations be presented to the full committee in informal report form. This informal report usually takes the form of a memorandum from the Subcommittee Chairman to the Full Committee Chairman, and is presented by the Subcommittee Chairman to the Full Committee at the full committee markup. It is often used as the draft of the full committee legislative report accompanying a reported bill.

The nature of the legislation will determine what components be included in the report. Items recommended for inclusion are:

(1) Purpose of the legislation;
(2) Provisions of the bill (e.g., sectional analysis);
(3) Background of the legislation;
(4) Subcommittee action;
(5) Budget explanation, if relevant (e.g., authorization bills).
(6) Recommended committee views; and
(7) Explanation of subcommittee amendments.

Each subcommittee will decide what information is pertinent and important for inclusion.

Full Committee Markup

(A review of general rules and procedures related to markup is covered in an earlier section, page 35.)

When a subcommittee has ordered a bill reported to the committee, a markup may be scheduled to receive and review the report of the subcommittee, and to provide all Members of the committee an opportunity to ask questions about the bill, and amend and vote on the legislation.

MARKUP MATERIALS

A sufficient number of copies for all Members and pertinent subcommittee and committee staff should be provided with respect to each of the following items:

—Copies of bills to be marked up (Committee Print reflecting proposed amendments may be obtained from Printer with 24 hours notice and may be used, by unanimous consent, in lieu of bill at markup).

—Amendments, and proposed committee views, including name of Member, bill number and date (these should be forwarded to Legislative Clerk prior to markup meeting, if possible).

—Appropriate motions relative to committee actions (see page 45).

ORDER OF BUSINESS

The order of business is, of course, at the discretion of the Full Committee Chairman. (See the Chief Counsel if you want something on the agenda.)

A typical agenda for the consideration of a bill at a legislative markup would be as follows:

I. Convene Meeting—Chairman announces purpose, then calls on Subcommittee Chairman.

II. Presentation of Subcommittee Report (Subcommittee Chairman).

III. Motion to Adopt Subcommittee Report.

IV. Discussion of Bill and Report.

V. Bill and Report open for amendment. (If Committee Print is used in lieu of bill, a unanimous consent request must be made to do so.) Committee views are entertained following disposal of all amendments.

VI. Motion to report the bill. (The House Rules require the presence of a majority of the committee to report the bill.)

COURSES OF ACTION

Once the bill has been considered, the committee has several courses it may take in reporting the bill, including the following:

(a) Report the bill *without amendment:* The committee makes no changes to the text of the bill as introduced.[1]

(b) Report the bill *with an amendment:* The committee adopts (1) a singular amendment, or (2) an amendment in the nature of a substitute (i.e., strike all after the enacting clause and substitute the text of the amended bill approved by the committee).

(c) Report the bill *with amendments:* The committee adopts multiple amendments.

(d) Order a *clean bill* reported: If a clean bill is reported, the original bill, along with the amendments adopted by the full committee, is reintroduced and assigned a new number. *The full committee must be reconvened to consider and report the clean bill.*

(e) Report *unfavorably* or *adversely:* Committees rarely report a bill adversely, since reporting a bill adversely in effect tables the legislation. An adverse report is more likely if the bill is a concurrent or sequential referral (e.g., H.R. 11392, 95th Congress). In the event a bill is adversely reported, then the committee proceeds to file an "Adverse Report" on the bill in the House. (See "Legislative Reports", page 47.)

(f) *Tabling the legislation:* tabling the legislation prevents or postpones action on the bill. (If an amendment to the bill is tabled, the entire bill is tabled.)

FULL COMMITTEE MARKUP MOTIONS

Staff may wish to prepare anticipated motions for the Members' use in markup. The following sample motions are some of those typically used in full committee markup sessions:

Motion to Adopt Subcommittee Report

"Mr. Chairman, I move that the amendments to the bill adopted by the subcommittee and the views recommended in the subcommittee report be adopted."

Motion to Report the Bill, As Amended

"Mr. Chairman, I move that the committee report the bill, H.R. —— (as amended). Furthermore, I move to instruct the staff to prepare the legislative report, to make technical and conforming amendments, and that the Chairman take all necessary steps to bring the bill before the House for consideration."

(NOTE: When the full committee has approved the motion to report the bill to the House, the bill is considered "*ordered* report-

[1] A committee may report a bill "without recommendation." During the 98th Congress, a majority of the House signed a motion to discharge a committee from consideration of a bill, H.R. 2973. Subsequently, the committee reported the bill "without recommendation." (H. Rept. 98-120).

ed." The bill is not considered "reported" until the legislative report accompanying it has been filed in the House.)

Motion to Introduce a Clean Bill

"Mr. Chairman, I move that a clean bill be prepared by the Chairman for introduction in the House and further consideration by the Committee."

(NOTE: If the motion is adopted, the full committee must reconvene to order the clean bill reported.)

FULL COMMITTEE RECOMMENDATIONS

The recommendations of the full committee with respect to a bill or resolution ordered reported to the House are embodied in a written report. Legislative reports and House Rules and procedural guidelines relating to them are the subject of the next chapter.

LEGISLATIVE REPORTS

General Information

A House report on legislation is a document prepared by the staff of the committee, and filed in the House of Representatives on any bill, joint resolution, concurrent resolution or House resolution that has been ordered reported by the full committee. The staff of the subcommittee(s) reporting the legislation normally assist the Chief Counsel in preparing the legislative report, although the report is always submitted to the House by the Chairman of the committee. The function of the report is to explain fully a piece of legislation.

Committee legislative reports are key in the development of the legislative history of a law. They are used by courts, executive departments and agencies, and the public as a source of information regarding the purpose and intent of a law.

Committee legislative reports are required to include various items specified in the Rules of the House. Failure to do so will make a report subject to a point of order on the House floor, which, if sustained by the Chair, could either kill the legislation or require the committee to take further steps to correct the defect. The required contents are enumerated on page 48.

The final draft of the report (excluding views signed by other committee members) should be approved by the Chairman. Filing of the report is approved by the Chief Counsel, following clerical review by the Legislative Clerk, who will coordinate with the Chief of Staff.

Committee investigative reports, products of study and review of a particular subject or problem within the Committee's interests and jurisdiction, are often filed in the House as House Documents, following review and approval of the Committee. The submittal letter to the Speaker must have an original signature of the Committee Chairman.

LEGISLATIVE REPORTS ON SEQUENTIALLY REFERRED BILLS

The House Rules permit the Speaker to set a deadline date for reporting a bill to the House on the first referral of a bill, as well as on sequential referrals.

A legislative report to accompany a sequential referral is written as a normal legislative report; however, the report should be written only on those matters under the jurisdiction of this committee.

A reported bill is reprinted only after the last committee to which it has been referred has reported the measure.

ADVERSE REPORTS

An adverse report is an unfavorable report made to the House on a bill or resolution. An adverse report would more likely be made in the case of a concurrent or sequential referral. (See also the legislative history of H.R. 11392, 95th Congress.)

An adverse legislative report should be noted as such on the front report cover, and contain all of the required information of a legislative report, pursuant to the Rules of the House of Representatives (see "Legislative Report Contents," below).

LEGISLATIVE REPORT CONTENTS

The following is a suggested format to assist in the preparation of a legislative report. Some of these items are required by the Rules of the House, while others may be included to further clarify and strengthen the committee's position.

1. Amendments.
2. Table of Contents.
3. Summary of Committee Actions (including summary table, as appropriate).
4. Purpose of the bill.
5. Committee Actions (hearings, markup).
6. Background and Need for the Legislation.
7. Explanation of the bill.
8. Sectional Analysis of the bill.
9. Committee Views.
10. Committee cost estimate on bills or joint resolutions of public character (Rule XIII, Clause 7) (Optional—see p. 50.)
11. Inflation Impact on bills and joint resolutions of public character (Rule XI, Clause 2(l)(4)).
12. Committee oversight findings and recommendations (Rule XI, Clause 2(l)(3)).
13. Summary of Government Operations Committee Findings and Recommendations (Rule XI, Clause 2(l)(3)).
14. Budget Analysis and Projection (on legislation containing new budget authority or tax expenditures) (Rule XI, Clause 2(l)(3)).
15. Congressional Budget Office estimates and comparisons (if timely submitted to committee) (Rule XI, Clause 2(l)(3)).
16. Administration Position.
17. Changes in Existing Law (Ramseyer) (Rule XIII, Clause 3).
18. Recital of Record Vote on Reporting—Committee Recommendation (Rule XI, Clause 2(l)(2)(B)).
19. Supplemental, Minority, or Additional Views (if their inclusion is requested and they are submitted within 3 days) (Rule XI, Clause 2(l)(5)).

A more detailed discussion follows:

1. AMENDMENTS

If the committee is favorably reporting a bill with amendment(s), the amendments should be enumerated following the recommendation of the committee that appears on the cover of the report (". . . reports favorably thereon with amendment(s) and recommends that the bill as amended do pass.")

At this point, the following should be inserted:

"The amendments to the bills as introduced are as follows: (List each amendment, e.g.:)

Page 2, line 10 delete the word "each".

Page 15, line 7 delete after the words "shall be" through line 11."

The report identifies amendments by page and line reference to the bill as introduced; the references may not correspond to the pages and lines of the reported print of the bill. To reduce possible confusion, amendments can be drafted to the sections or subsections, thereby, eliminating the printing problem.

If there is only one amendment, or if the amendment is in the nature of a substitute, the following should be inserted:

"The amendment is as follows:

(List the one amendment); OR

"Strike out all after the enacting clause and insert in lieu thereof the following:

(Insert entire text of substitute amendment)"

Amending the title of a bill

An amendment to the title of the bill is reflected last by setting out, in a final provision of the bill, the new title in its entirety, as follows:

"Amend the title so as to read: (New title in full)"

The new title is *not* reflected on the cover of the bill as reported nor on the face of the legislative report; rather, it should be included in the enumeration of committee amendments, described above.

2. TABLE OF CONTENTS

A table of contents is particularly useful in longer reports. The contents should be placed after the enumeration of amendments.

3. SUMMARY OF COMMITTEE ACTIONS

The inclusion in the report of a brief summary of committee actions can provide a quick orientation to the purposes, scope, and funding of a bill, issues raised, and the committee's recommendations. Such an overview can be particularly useful during floor debate to Members who are less familiar with the legislation.

4. PURPOSE OF THE BILL

A brief paragraph stating the purpose of the bill, and amount of funds authorized (if included in the bill) to carry out the bill should be included under this section.

5. COMMITTEE ACTIONS

A discussion of hearings and markup actions can be included here, in varying degrees of detail. Staff may want to confine the discussion to the legislative history of the bill, mentioning dates of hearings, markups, and explanation of predecessor bills to the reported bill.

6. BACKGROUND AND NEED FOR THE LEGISLATION

Depending on the nature of a piece of legislation, the background may be very brief, or quite extensive. This section should summarize the need for the particular legislation, and discuss events leading to the introduction of the legislation.

7. EXPLANATION OF THE BILL

This section should include a thorough explanation of the provisions of the bill, in order to present the committee's intent. Staff may wish to explain the bill by section or by program, along with commentary with regard to committee intent.

8. SECTIONAL ANALYSIS OF THE BILL

This section does not duplicate the "Explanation of the Bill" section described above. Rather, the sectional analysis gives a brief overview of each section of the bill, and is not a statement of the committee's intent, as described in the Explanation section.

9. COMMITTEE VIEWS

Committee views serve to clarify and interpret the intent of the bill. They are an extremely important function of the legislative report as a source of information regarding the purpose and meaning of a law (if the bill is enacted into law). Committee views are enunciated and determined by a Member(s) and approved by the full committee. They are included in the report as a separate section.

10. COMMITTEE COST ESTIMATE ON BILLS OR JOINT RESOLUTIONS OF PUBLIC CHARACTER

Committee cost estimates are optional when the Congressional Budget Office cost estimates have been included in the legislative report (see item 15). In the absence of a CBO cost estimate, the committee *must* estimate the costs to carry out the bill in the fiscal year reported and in each of the 5 fiscal years thereafter (or for the duration of the program if less than 5 years), and must compare with its cost estimate any cost estimate submitted to the committee by any other government agency. The following language may be used to introduce the committee's cost estimate:

"In accordance with the requirements of section 252(b) of the Legislative Reorganization Act of 1970 and pursuant to Rule XIII, Clause 7 of the Rules of the House of Representatives, the committee estimates the costs to be incurred by the Federal Government during the current and five subsequent years as a result of the enactment of this legislation as follows:

"Fiscal year:
"1990 ..... $xxxxxx
"1991 xxxxxx
"etc." .....

11. INFLATION IMPACT OF BILLS AND JOINT RESOLUTIONS OF PUBLIC CHARACTER

Each report of a committee on a bill of a public character must contain a detailed analytical statement as to whether the enactment of a bill into law may have an inflationary impact on the prices and costs in the operation of the national economy. (The Congressional Budget Office can assist staff in preparing such a statement.) The following language may be used to comply with this requirement:

"In accordance with Rule XI, Clause 2(l)(4), of the Rules of the House of Representatives, this legislation is assessed to have (no adverse) (minimal) inflationary effect on prices and costs in the operation of the national economy." or

"The following statement is made concerning the inflationary impact of the legislation:"

12. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

The legislative report to accompany a measure which has been approved by the committee must include the oversight findings and recommendations which have resulted from its exercise of general oversight responsibility, pursuant to Rule X, Clause 2(b)(1), and special oversight responsibility, pursuant to Rule X, Clause 3(f).

The Committee's oversight findings and recommendations must be separately set out and identified, as follows:

"Pursuant to Rule XI, Clause 2(l)(3) of the Rules of the House of Representatives, and under the authority of Rule X, Clause 2(b)(1) and Clause 3(f), the following findings and recommendations are under consideration by the Committee on Science, Space, and Technology:" or

" . . . The results and findings from these oversight activities are incorporated in the recommendations fund in the present bill and report." or

" . . . No findings and recommendations are under consideration by the Committee on Science, Space, and Technology on ——— (subject of legislation)."

13. SUMMARY OF GOVERNMENT OPERATIONS COMMITTEE FINDINGS AND RECOMMENDATIONS

Pursuant to Rule X, Clause 2(c)(2), of the Rules of the House of Representatives, the Committee on Government Operations may at any time conduct investigations without regard to the provisions conferring jurisdiction over such matter upon another standing committee. The Committee's findings and recommendations in any such investigation shall be made available to the other standing committee having jurisdiction over the matter. These findings must be included in a legislative report, pursuant to Rule XI, Clause 2(l)(3).

The inclusion of Government Operations Committee findings and recommendations should be noted on the front cover of report (See "Preparation of Legislative Report for Filing," page 60).

The following language may be used to comply with this requirement:

"Pursuant to Rule X, Clause 2(c)(2), and Rule XI, Clause 2(l)(3), of the Rules of the House of Representatives, the Committee on Government Operations submitted the following oversight findings and recommendations:" or

"No findings and recommendations on oversight activity pursuant to Rule X, Clause 2(b)(2), and Rule XI, Clause 2(l)(3), of the Rules of the House of Representatives, have been submitted by the Committee on Government Operations for inclusion in this report."

14. BUDGET ANALYSIS AND PROJECTION (ON LEGISLATION CONTAINING NEW BUDGET AUTHORITY TO TAX EXPENDITURES)

Rule XI, Clause 2(l)(3) and section 308(a) of the Congressional Budget Act of 1974 require certain information to be contained in the legislative report to accompany any bill providing new budget authority or new or increased tax expenditures.

In most cases, this provision will not apply to the committee's bills since they provide for new authorization rather than new budget authority.

Consequently, the following statement should be made to comply with this requirement:

"The bill provides for new authorization rather than new budget authority and consequently the provisions of section 308(a) of the Congressional Budget Act are not applicable."

The following may be added, if desired:

"Under a separate section of this report, a five-year current programs estimate is provided in response to the requirement of section 403 of the Congressional Budget Act of 1974."

15. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE AND COMPARISON (IF TIMELY SUBMITTED TO COMMITTEE)

Section 403 of the Congressional Budget Act of 1974 requires the Director of the Congressional Budget Office to prepare for each bill or resolution of a public character reported by any committee (1) an estimate of the costs which would be incurred in carrying out such bill in the current fiscal year and in each of the 4 fiscal years following such fiscal year, and (2) a comparison of the estimate of costs described with any available estimate of costs made by such committee or by any Federal agency. CBO is also required to estimate the cost which would be incurred by state and local governments in carrying out or complying with a bill if the cost would exceed $200 million or otherwise have significant fiscal consequences.

If timely submitted to the committee this report is included in the legislative report in full. Its inclusion makes optional the preparation of a committee cost estimate (see section 10). The following language may be used to comply with this requirement:

"Pursuant to section 403 of the Congressional Budget Act of 1974 and Rule XI, Clause 2(l)(3) of the Rules of the House of Representatives, the report of the Congressional Budget Office follows:" or

"No information pursuant to section 403 of the Congressional Budget Act of 1974 has been provided to the Committee on Science, Space, and Technology by the Congressional Budget Office as of (date)."

The inclusion of CBO estimates and comparisons should be noted on the front cover of report (See "Preparation of Legislative Report for Filing", page 60.)

16. ADMINISTRATION POSITION

The Rules of the House do not require that a legislative report contain a report on the Administration's position on the legislation. However, staff may include a summary of the reports submitted by the executive branch to the committee, or they may be submitted in full. These are factors to consider, especially when the Administration has requested legislative action, or has prepared negative comments.

17. CHANGES IN EXISTING LAW (RAMSEYER)

Under Rule XIII, Clause 3 of the Rules of the House of Representatives, the "Ramseyer Rule," House Reports must inform Members of all expressed changes to the text of existing law contained in the reported legislation. The requirement also applies to measures as reported.

Under this rule, all reports on bills seeking to repeal or amend specifically an existing law must include the text of the statute, or the affected part, and a comparative print of the measure showing by typographical device the omissions or additions proposed. If the change in the statute is the addition of a new proviso, the report must quote in full the section immediately preceding the proviso amendment.

There are two methods of accomplishing the "Ramseyer" Rule. Staff may wish to include the text of the existing statute (the affected part) and show a comparative print indicating the omissions or additions proposed. A more popular method of indicating a change in existing law is as follows:

> In compliance with Rule XIII, Clause 3, of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman, and large unchanged blocks of existing law is indicated by * * *):
>
> * * * * * * *
>
> AUTHORIZATION OF APPROPRIATIONS
>
> SEC. 17. There are authorized to be appropriated to carry out the foregoing provisions of this Act, [except section 11 of this Act,] *except as otherwise specifically provided, with respect to the payment of claims under section 11 of this Act,* not to exceed $3,750,000 for the transitional fiscal quarter of July 1, 1976, through September 30, 1976, not to exceed $15,000,000 for the fiscal year ending September 30, 1977, [and] not to exceed $20,000,000 for the fiscal year ending September 30, 1978, *and not to exceed $20,467,000 (including $6,043,000 for renovation and alteration of the*

Marjorie Webster College site for the Academy) for the fiscal year ending September 30, 1979.

* * * * * * *

Staff should seek assistance in preparing their "Ramseyer" from the Legislative Counsel.

If there are no changes in existing law, the Chairman may wish to state such, although it is not required. In this case, the following language may be used:

"If enacted, this bill would make no change in existing law."

18. RECITAL OF RECORD VOTE ON REPORTING—COMMITTEE RECOMMENDATION

House committees are required by Rule XI, Clause 2(2)(A), to have a majority of the committee present to report legislation. The presence of a majority must be recorded in the report whether the bill was ordered reported by roll call or voice vote. Failure to do so may result in a point of order being sustained when the bill is considered on the House Floor.

The roll call (or voice) vote should be reflected under a separate "Committee Recommendation" Section. The following language may be used to comply with this rule:

"A quorum being present, the committee ordered favorably reported the bill by roll call vote (31–0) of those present."

19. SUPPLEMENTAL MINORITY, DISSENTING OR ADDITIONAL VIEWS

A member may request three additional calendar days, from the day the bill has been ordered reported (excluding Saturdays, Sundays, and legal holidays), in which to submit additional, dissenting or Minority views, the Member must give notice of his or her intention to do so at the time of approval of the measure.

Each set of views must be signed by the Member. A duplicated signature will not be accepted by the House Bill Clerk. Each set of views should begin on a new page in the report. The protocol order for listing these is Senior Majority Members' views first, Senior Minority Members' views next.

If any views are included in the report, such fact should be noted on the front cover of the report (See "Preparation of Legislative Report for Filing", page 60).

Filing the Bill and Report

PREPARATION OF THE BILL FOR FILING

One copy of the bill that reflects all the committee's amendments is filed with the legislative report. It should be clearly marked as such, and should be prepared or approved by the Legislative Clerk in a form which corresponds to the actions taken by the full committee.

Four sample covers follow. These are:

1. Bill reported without amendments.
2. Bill reported with amendment.
3. Bill reported with amendments.
4. Bill reported adversely.

The Legislative Clerk can provide assistance to staff on bill and legislative report preparation.

SAMPLE -- BILL REPORTED WITHOUT AMENDMENT.

Union Calendar No. 68

100TH CONGRESS
1ST SESSION

H. R. 2160

[Report No. 100–98]

To authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1988, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 1987

Mr. WALGREN (for himself and Mr. BOEHLERT) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

MAY 19, 1987

Committeed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

A BILL

To authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal year 1988, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Bureau of Standards Authorization Act for Fiscal Year 1988".

SAMPLE -- BILL REPORTED WITH AN AMENDMENT

Union Calendar No. 136

101ST CONGRESS
1ST SESSION

H. R. 2427

[Report No. 101-216]

To authorize appropriations for certain atmospheric and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1989

Mr. SCHEUER (for himself, Ms. SCHNEIDER, Mr. WALKER, Mr. BROWN of California, Mr. PRICE, Mr. VALENTINE, Mr. LEWIS of Florida, Mr. MCCURDY, Mr. SMITH of New Hampshire, Mr. WOLPE, Mr. TANNER, Mr. MCMILLEN of Maryland, Mr. SKAGGS, Mr. SHAYS, and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

AUGUST 3, 1989

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on May 18, 1989]

A BILL

To authorize appropriations for certain atmospheric and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes.

27-370 O - 91 - 3

SAMPLE -- BILL REPORTED WITH AMENDMENTS

Union Calendar No. 71

100TH CONGRESS
1ST SESSION

H. R. 1522

[Report No. 100–103]

To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1987

Mr. ROE (by request) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

MAY 21, 1987

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2216), is further amended by adding at the end thereof the following:

SAMPLE -- BILL REPORTED ADVERSELY

95TH CONGRESS
2D SESSION

H. R. 11392

[Report No. 95-1166, Parts I through III]

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1978

Mr. STAGGERS (for himself and Mr. UDALL) introduced the following bill; which was divided and referred as follows: Titles I and II, to the Committee on Interstate and Foreign Commerce; Title III, to the Committee on Interior and Insular Affairs; Title IV, concurrently to the Committee on Interior and Insular Affairs and the Committee on Interstate and Foreign Commerce; Title V, concurrently to the Committee on Interior and Insular Affairs, the Committee on Interstate and Foreign Commerce, and the Committee on Science and Technology; Title VI, concurrently to the Committee on Interstate and Foreign Commerce and the Committee on Science and Technology; Titles VII and VIII, concurrently to the Committee on Interior and Insular Affairs, the Committee on International Relations, the Committee on Interstate and Foreign Commerce, and the Committee on Science and Technology, and Title VIII, additionally to the Committee on Armed Services

MAY 1, 1978

Paragraph 1 of section 331 referred to the Committee on Interior and Insular Affairs be solely rereferred to the Committee on Armed Services

MAY 15, 1978

Reported with amendments, from the Committee on Interior and Insular Affairs

[Omit the part in brackets and insert the part printed in italic]

MAY 19, 1978

Reported with amendments, from the Committee on Interstate and Foreign Commerce and ordered to be printed

[Omit the part struck through and insert the part printed in boldface roman]

JUNE 9, 1978

☞ Reported adversely from the Committee on Science and Technology and ordered to be printed

---

A BILL

To authorize appropriations to the Department of Energy and the Federal Energy Regulatory Commission pursuant to section 660 of the Department of Energy Organization Act, and for other purposes.

PREPARATION OF THE LEGISLATIVE REPORT FOR FILING

Four forms are available for the first page of a report. These are:

(1) Without amendments;

(2) Without amendments (i.e., in the nature of a substitute or singular amendments);

(3) With amendments; and

(4) Adverse report.

If "Additional Views," "Minority Views," "Supplementary Views," or "Dissenting Views" are to be included in the report, or if Budget Estimates and Comparisons or Government Operations Committee Oversight Findings and Recommendations are included in the report, such fact should be noted on the cover of the report. Accordingly, this should be indicated on the first page by typing in the words "together with" and the type of additional material immediately under the all cap word "REPORT" as follows:

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 23]

REPORT

together with

MINORITY AND DISSENTING VIEWS

[To accompany H.R. 85]

[Including cost estimate and comparison of the Congressional Budget Office and a summary of the oversight findings and recommendations by the Committee on Government Operations]

(Sample report forms follow:)

SAMPLE -- REPORTED WITHOUT AMENDMENT

(NOTE.—Fill in all blank lines except those provided for the date and number of report. Strike out "bill" or "joint resolution" as the case may be.)

..... CONGRESS
..... SESSION

HOUSE OF REPRESENTATIVES

REPORT
No. .....

.....

.....—Ordered to be printed

Mr. *Roe*, from the Committee on *Science, Space, and Technology*, submitted the following

REPORT

[To accompany .....]

The Committee on *Science, Space, and Technology*,

to which was referred the bill / joint resolution (.....)

FULL TITLE OF BILL HERE

having considered the same, reports favorably thereon without amendment and recommends that the bill / joint resolution do pass.

U. S. GOVERNMENT PRINTING OFFICE 79613

SAMPLE -- REPORTED WITH AN AMENDMENT

(NOTE.—Fill in all blank lines except those provided for the date and number of report. Strike out "bill" or "joint resolution" as the case may be.)

..... CONGRESS
..... SESSION
} HOUSE OF REPRESENTATIVES { REPORT
No. .....

.....

.....—Ordered to be printed

Mr. *Roe* ....., from the Committee on

Science, Space, and Technology ....., submitted the following

REPORT

[To accompany .....]

The Committee on *Science, Space, and Technology* .....,

to which was referred the bill / joint resolution (.....)

FULL TITLE OF BILL HERE

having considered the same, reports favorably thereon with an amendment and recommends that the bill / joint resolution do pass.

The amendment is as follows:

U. S. GOVERNMENT PRINTING OFFICE 60008°

SAMPLE -- REPORTED WITH AMENDMENTS

(NOTE.—Fill in all blank lines except those provided for the date and number of report. Strike out "bill" or "joint resolution" as the case may be.)

..... CONGRESS
..... SESSION

HOUSE OF REPRESENTATIVES

REPORT
No. .....

.....—Ordered to be printed

Mr. *Roe* ....., from the Committee on

Science, Space, and Technology ....., submitted the following

REPORT

[To accompany .....]

The Committee on *Science, Space, and Technology* .....,

to which was referred the bill / joint resolution (.....)

FULL TITLE OF BILL HERE

having considered the same, reports favorably thereon with amendments and recommends that the bill / joint resolution do pass.

The amendments are as follows:

U. S. GOVERNMENT PRINTING OFFICE 60000°

SAMPLE -- REPORTED ADVERSELY

(NOTE.—Fill in all blank lines except those provided for the date and number of report. Strike out "bill" or "joint resolution" as the case may be.)

____ CONGRESS ____ SESSION	HOUSE OF REPRESENTATIVES	REPORT No. ____

WHEN TO FILE

A legislative report should be filed promptly after the bill is ordered reported by the Committee. Members who have given notice at the proper time of their intention to file additional, supplemental, or minority views have 3 calendar days following the day on which the bill was ordered reported by the committee to submit such views (See Committee Rule 38). In addition, the Committee Rules provide for the reporting of a measure which has been approved by the full committee within 7 calendar days (exclusive of days of which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure.

WHO FILES THE REPORTS

Although submitted to the House by the Chairman, the legislative report may be filed by any person designated by the committee staff (hand delivered only). Committee policy is that the Legislative Clerk delivers the report to the Floor or makes the necessary arrangements. (A Member is not required to make either a statement or request permission on the House Floor when filing a legislative report.)

WHAT TO FILE

1. *One copy of the report* is filed in the House. This should be paginated. (A copy should be duplicated for use until it has been printed by the GPO.) The report does not have to be signed by the Chairman.
2. *One copy of the bill that contains all of the amendments* clearly marked (preferably in ink), along with the notation "copy marked with committee amendment(s)." (A copy should also be duplicated for use until printed by GPO.)
3. *Three copies of the bill as originally referred* to the committee.

WHERE TO FILE

The report should be delivered by the Legislative Clerk to the House Bill Clerk on the Floor of the House while the House is in session. The report and bills can be delivered to the Doorkeeper on the Majority side who will drop it in the "hopper".

FILING A LATE REPORT

If it is necessary that the report be filed after the close of the day's session, the Chairman, or any other Member of the committee, must request unanimous consent in the House to file a "late" report. This is a good idea if there is any uncertainty as to when the House will be adjourning for the day. The unanimous consent request is as follows:

"Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology may have until 5 p.m. (or a specific time) tonight (or another day) to file a late report on H.R. ——— (title)."

(NOTE: This deadline is not binding on the committee unless the date has already been set as a reporting deadline, e.g., by the Speaker on a sequential referral.)

To file a report after the close of the day's session, the report should be delivered to the Tally Clerk's office, located in Room HT13 of the Capitol. The Tally Clerk should be notified of the approximate time the report will be filed so that an employee is available after closing time (x57347).

NUMBERING

After the report is filed, the Bill Clerk assigns the report a number, containing a prefix-designator which indicates the number of the Congress (e.g., H. Rept. 102- ——). The number of the report will appear in the Congressional Record at the end of the day's proceedings.

The report number, as well as the calendar number (See "House Calendars," page 67) will appear on the reprinted bill.

PRINTING

If time permits, staff may want to obtain galleys and page proofs of the report to decrease the chance of typographical errors in the final report. Coordination should be made with the committee printers.

GPO should have legislative reports and reported bills printed and delivered to the committee 24 hours after filing. During the authorization period, it is not uncommon for printing to take longer.

The GPO sends 150 copies of the report to the committee. These are delivered to the Legislative Clerk. If it is anticipated that more than the normal allotment will be needed, a letter from the Chairman may be sent to the Superintendent of the House Document Room to request additional copies (See sample request form, page 21). Staff may also call the House Document Room to obtain additional copies (x53874).

DISTRIBUTION

The 150 copies of legislative reports sent to the committee are for use by the Members and staff of this committee. Please use discretion in distributing these reports. Refer as many requests as possible to the House Document Room (x53874).

CALENDARS IN THE HOUSE

After a bill has been favorably reported to the House, it is assigned to one of the two main calendars of the House:

UNION CALENDAR (Rule XIII, Clause 1)

The Union calendar is the calendar to which are referred all bills raising revenue, general appropriation bills, and bills of a public character directly or indirectly appropriating money or property. Most of this committee's bills are referred to the Union Calendar.

HOUSE CALENDAR (Rule XII, Clause 1)

This is the calendar to which are referred all bills of a public character not raising revenue or directly or indirectly appropriating money or property.

All bills are assigned a calendar number, in the order in which they are reported to the House, which is printed on both the first and back pages of the bill, as reported. If a bill has been reported by two or more committees, the calendar number is printed only on the bill as reported by the last committee to consider it.

Calendars of the United States House of Representatives and History of Legislation details the legislative history of reported bills and resolutions. It is printed daily. The calendar printed on Mondays contains a subject index.

ONE HUNDRED FIRST CONGRESS

FIRST SESSION | CONVENED JANUARY 3, 1989

CALENDARS
OF THE UNITED STATES HOUSE OF REPRESENTATIVES
AND
HISTORY OF LEGISLATION

LEGISLATIVE DAY 134 CALENDAR DAY 135

Thursday, November 2, 1989

HOUSE MEETS AT 10 A.M.

SPECIAL ORDERS

(SEE NEXT PAGE)

PREPARED UNDER THE DIRECTION OF DONNALD K. ANDERSON, CLERK OF THE HOUSE OF REPRESENTATIVES:
By the Office of Legislative Operations

Calendars shall be printed daily—Rule XIII: clause 6

Index to the Calendars will be printed the first legislative day of each week the House is in session

U.S. GOVERNMENT PRINTING OFFICE : 1989 89-038

OBTAINING FLOOR CONSIDERATION

After a bill has been adopted and reported by the committee, a decision must be made as to how it should be brought to the floor for consideration.

One of the major determining factors will be the nature of the legislation. The Chief of Staff should consult with the Members most closely involved with the legislation, as well as the subcommittee staff, to determine the desired route for floor consideration.

Most of the legislation considered by the committee (and the House) goes to the floor by way of a "Rule" or resolution authorizing its consideration, from the Rules Committee. The function and procedures of the Rules Committee are described in this chapter.

Less controversial legislation may be considered without a Rule from the Rules Committee, via the "Suspension of the Rules" procedures, described on page 89.

Privileged Matters

As outlined in Rule XI, Clause 4(a), of the House, some measures coming before the House are considered privileged matters and may interrupt the order of business. Examples of privileged matters are Rules Committee reports, conference reports, and general appropriation bills.

Final determination of the floor schedule, regardless of the route taken to obtain consideration, is made by the Majority Leadership.

Rules Committee

One of the main functions of the Rules Committee is to assist in regulating the movement of legislation to the floor. The agenda is set after consultation with the Majority Leadership, who determine the floor schedule.

In addition to providing for the consideration of bills, a Rule provides the arrangements and conditions for the handling of legislation on the floor. This includes:

1. Setting the amount of time for general debate on a bill;
2. Regulating whether or not a bill will be open to amendment and/or specifying conditions under which amendments may be offered; and
3. Waiving points of order which might be raised against legislation on specific provisions of a bill.

No action of the Rules Committee takes effect until it is ratified by a majority of the House; this ratification takes the form of adoption of the resolution prior to the consideration of the legislation.

REQUESTING A HEARING BY RULES COMMITTEE

After a bill has been reported by the full committee, and it has been determined that the legislation will go to the floor by way of

the Rules Committee, a letter from the Committee Chairman to the Rules Committee Chairman is written, requesting a hearing on the legislation by the Rules Committee. If more than one committee is involved, the request should be made either by the primary committee to consider the bill or by joint letter signed by the Chairmen of the Committees involved.

The letter to the Chairman of the Rules Committee should contain the following information:

1. A brief description of the legislation to be considered;
2. The amount of time requested for general debate;
3. Request as to whether the bill will be open for amendment by title or by section, if appropriate;
4. Requests for waivers of points of order, if any, which might be raised of specific provisions of the bill; and
5. Date the legislative report will be available to Members.

Depending on the nature of the legislation, this letter is prepared by the Legislative Clerk with the assistance of the appropriate staff. The letter should be routed through the Chief Counsel for the Chairman's approval. Copies of the letter should be sent to the Speaker, as well as the Majority and Minority Leaders.

The Rules Committee has requested that letters be paged or hand-delivered to the Rules Committee in H–312, Capitol. A sample letter appears on page 73.

RULES COMMITTEE HEARING

Thirty-five copies of the legislative report must be available for Members of the Rules Committee 24 hours before a hearing takes place. The House Document Room supplies copies of printed bills and reports to Members of the Rules Committee.

Notification of scheduling of a hearing will be made to the Chief Counsel, who will notify the pertinent staff. Hearings before the Rules Committee do not duplicate the hearings by the legislative committee; rather, the Rules Committee is concerned with information specifically related to the appropriate terms of consideration on the House floor.

Customarily, only Members of Congress appear before the Rules Committee. Normally, the Chairman, Subcommittee Chairman, Sponsor, and Ranking Minority Member (Full and Subcommittee) appear before the Rules Committee. Staff may be requested to prepare a statement for the Member before the Rules Committee.

1. Brief description of legislation;
2. Provisions contained therein;
3. Open, closed or modified Rule request; and
4. Waivers of points of order, if any.

Thirty-five copies of prepared statements are provided for Members of the Rules Committee before the hearing convenes.

The Rules Committee has no direct power to amend bills upon which Rules are requested; it can report a Rule for a bill or it can refuse to do so. As a practical matter, however, proponents of a bill being considered for a Rule, to ensure favorable consideration by the Committee, will sometimes agree at the hearing to offer on the floor what a committee majority considers to be a desirable amendment. In addition, the Committee may make in order for consider-

ation an amendment in the nature of a substitute which might not otherwise be in order. This can provide the House with a choice between alternative approaches. (See sample modified open Rule, page 82.)

After completion of its hearings, the Rules Committee votes on the kind of Rule to be granted. Notice of action taken by the Rules Committee will be sent to committee offices on the same day as the hearing (see page 78).

TYPES OF RULES

Rules are classified as follows:

1. Open Rule—open for amendment at any point.
2. Modified Rule—certain amendments allowed that are specified in the Rule.
3. Closed Rule—no amendments can be offered (or, no amendments except committee amendments). (Pursuant to Democratic Caucus Rule 35, a committee chairman must make notice in the Congressional Record of the intention to seek a closed Rule.)

For annual authorization bills, the committee generally requests floor consideration under a one-hour, open rule. "One hour" refers to the total amount of time allotted for general debate (one-half for Majority; one-half for Minority); as stated above, an "open Rule" provides that the bill may be amended on the floor.

POINTS OF ORDER AND WAIVERS

A point of order is a formal legal contention that the pending procedure or legislation violates the Rules or precedents of the House. The Rules Committee may waive points of order, but will usually ask for the reason for the waiver from the committee requesting it, and that the language subject to the waiver be specified. Without such a waiver, if a point of order is raised on the floor and sustained by the Speaker, that portion of the bill will be stricken, thus preventing further consideration of the language in question. Although a point of order may be sustained, normally it is not fatal to the legislation as a whole.

FLOOR CONSIDERATION OF A RULE

The Rule reported by the Rules Committee is technically a Resolution specifying a special "order of business" under Rule XI, clause 4(a), which provides that it is a privileged resolution. Under Rule XI, clause 4(b), a Rule can be called up at any time, except that it cannot be called on the same day it is presented to the House unless allowed to do so by a two-thirds vote. To prevent arbitrary delay once a rule is approved, Rule XI, clause 4(c), provides that the Rules Committee shall present to the House a report on a Rule within three legislative days of the time when ordered reported by the Rules Committee. If the Rule is not called up by the Member making the report, within seven legislative days thereafter, any Member of the Rules Committee may call it up as a matter of privilege, and the Speaker is required to recognize any Member of the Rules Committee seeking recognition for that purpose.

Normally there is no problem in getting a Rule called up on the floor. In most cases, a Rule is considered just prior to floor consideration of the bill.

Once the resolution, or Rule, is called up on the floor, it is normally considered under a one hour Rule (one hour of debate). The Majority Member of the Rules Committee serving as Floor Manager for the Resolution yields one-half of the allotted time to a Minority Member of the Rules Committee. After debate on the rule it is voted on and, if adopted, the Rule governs the actual consideration of the bill. If a majority of the House does not favor the kind of Rule reported by the Rules Committee, the Rule can be voted down on the floor (this occurred on H.R. 12112, 94th Congress). In the event the Rule is voted down, floor consideration of the bill cannot take place.

Again, it should be remembered that no action of the Rules Committee takes effect until it is ratified by a majority of the House.

SAMPLE -- REQUEST FOR RULES COMMITTEE HEARING

ROBERT A. ROE, New Jersey, Chairman
GEORGE E. BROWN, JR., California
JAMES H. SCHEUER, New York
RONALD MACK, Florida
DOUG WALGREN, Pennsylvania
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WHEELER, Michigan
BILL NELSON, Florida
RALPH M. HALL, Texas
DAVE MCCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
NICK JOE RAHALL, II, West Virginia
TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
JAMES A. TRAFICANT, JR., Ohio
LES AUCOIN, Oregon
TIM WIRTH, Colorado
HENRY J. NOWAK, New York
CARL C. PERKINS, Kentucky
TOM MCMILLEN, Maryland
DAVID E. PRICE, North Carolina
DAVID S. MONSON, Utah
JIMMY HAYES, Louisiana
DAVID S. SKAGGS, Colorado
JERRY F. COSTELLO, Illinois
PETER JOHNSTON, Florida
JOHN TANNER, Tennessee
GLEN BROWDER, Alabama

ROBERT S. WALKER, Pennsylvania
F. JAMES SENSENBRENNER, JR., Wisconsin
CLAUDINE SCHNEIDER, Rhode Island
CHRISTOPHER L. MCKINLEY, West Virginia
TOBY ROTH, Wisconsin
DON RITTER, Pennsylvania
SID MORRISON, Washington
KEN PACKARD, California
ROBERT C. SMITH, New Hampshire
PAUL B. HENRY, Michigan
CHARLES W. PASHAYAN, JR., California
E. THOMAS COLEMAN, Missouri
LAMAR SMITH, Texas
JACK BUECHNER, Missouri
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SMITH, Connecticut
DANA ROHRABACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID O. CLEMENT
Republican Staff Director

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6371

September 6, 1989

The Honorable John Joseph Moakley
Chairman
House Committee on Rules
Washington, D.C. 20515

Dear Mr. Chairman:

The Committee on Science, Space, and Technology requests a hearing by your Committee on H.R. 1759, the "National Aeronautics and Space Administration Multiyear Authorization Act of 1989" on Thursday, September 7, 1989.

The Committee ordered H.R. 1759 favorably reported, with an amendment in the nature of a substitute, a quorum being present, on August 3, 1989. The legislative report on the measure was filed August 31, 1989. There are no requests for waivers of points of order. The Committee requests a one-hour, open rule for H.R. 1759.

I appreciate your efforts on behalf of the Committee.

Sincerely,

ROBERT A. ROE
Chairman

RAR/pt
Enclosure

SAMPLE -- TESTIMONY BEFORE RULES COMMITTEE

STATEMENT BY THE
HONORABLE ROBERT A. ROE, CHAIRMAN
COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY
BEFORE THE
COMMITTEE ON RULES, H.R. 1759
SEPTEMBER 7, 1989

Mr. Chairman, I am here to request a one-hour open rule for H.R. 1759 to provide a multiyear authorization of appropriations for the National Aeronautics and Space Administration. H.R. 1759 was ordered reported by the Committee on Science, Space, and Technology on August 3, 1989. With your permission I would like to describe the bill.

H.R. 1759 establishes overarching policies and guidelines that will carry our space program into the 21st century and hopefully realize the visions of a Lunar Colony and a manned mission to Mars. These activities will require NASA to rededicate itself to the goal of international leadership in space science, space exploration, aeronautics, and basic technology.

The bill provides a three year authorization for all NASA programs. In addition, for NASA's major new start, the Comet Rendezvous/Asteroid Flyby-Cassini mission, the bill provides a full program authorization through completion. This type of multi-year funding is intended not only as a clear expression of Congressional intent and direction, but also as a basic cost effectiveness measure. We have a great deal of experience to indicate that long term budget stability leads to more effective management and cost savings for these types of developmental programs.

In the aggregate H.R. 1759 provides $12,793,800,000 in new budget authority for FY 1990. Although our approach to multi-year budgeting does not lend itself to easy comparison with the Administration's request, all programs for which the bill provides augmentations are offset in equal amount by program reductions so that the bill will remain budget neutral. Along with my statement, I would like to include for the record a table detailing specific program funding by line item.

I would now like to briefly mention some major program initiatives contained in the bill.

- The bill provides funding for the Space Station for FY 1992. Funding for FY 1990 and FY 1991 was previously provided by P.L. 100-685.

- The bill restores funding for the Advanced Communications Technology Satellite, or ACTS, program. Although this valuable program is more than 75% complete, the Administration has once again deleted funding for it. The reasons for funding this

effort remain valid. In addition, we now view ACTS as a potentially valuable means of gaining an edge in the High Definition Television marketplace.

- The bill contains funding to continue studies to provide for a heavy lift launch vehicle called Shuttle-C. This will be a cost effective and near term approach to gaining a lift capability using elements of the Shuttle system that may equal what the Soviets now possess.

- In the physics and astronomy area, the bill restores funding for an important experiment to test the theory of relativity. This experiment, called Gravity probe-B, will provide valuable new insights into the fundamental forces of nature.

- For the life sciences, the bill supports the President's request for a substantial increase in order to develop the understandings we need to live and work in space for prolonged periods.

- For planetary exploration, as I have mentioned, the bill provides a full program authorization for the CRAF-Cassini new start. That program will build upon the discoveries of the Pioneer and the much celebrated Voyager missions and herald a new commitment to robotic exploration of the Solar System which has proven so fruitful.

- The bill creates a Center for the Commercialization of Space for Education. This encourages the application of space technologies to the problems of educating our youth.

- In the aeronautics area, the bill contains full funding for the National Aerospace Plane and stipulates that the entire amount must be obligated before obligations may be made for other aeronautics programs. Our intent here is to ensure that the NASP receives the highest priority by Congress and the Administration.

- In the area of expendable launch vehicles, the bill fully funds the President's request and also provides funding for an additional vehicle to launch a Tracking and Data Relay Satellite thereby saving the cost of a Shuttle mission. In addition the bill establishes a new program to carry out research on new cost effective technologies that will make our launch industry competitive with foreign launch providers.

The bill also contains many important policy provisions that I will

summarize.

- o The bill authorizes the use of up to $50M in appropriations previously made for the replacement orbiter for Shuttle structural spare parts.

- o The bill provides special authority and guidelines for agreements for the Space Station Neutral Buoyancy Facility and the Payload Processing Facility. These guidelines are intended to develop legitimate management and capitalization roles for the private sector in space commercialization.

- o The bill provides contingent liability authority for the Advanced Solid Rocket Motor Facility and will enable the contractor to secure private financing for this effort.

- o The bill establishes the policy that the U.S. Trade Representative should engage in negotiations to ensure fair pricing practices by other nations offering launch services. If such agreements cannot be reached, the bill requires the prohibition of the export of U.S. satellites for launch on vehicles manufactured by the Soviet Union.

- o The bill suspends a specific export license previously granted for the launch of a U.S. satellite aboard the Chinese Long March vehicle unless the President reports to Congress that certain human rights improvements have been made by the People's Republic of China.

- o The bill requires the Administrator to develop a strategic plan for the life sciences which specifically addresses crew operations on the Extended Duration Orbiter and the design and development of the Space Station.

- o The bill establishes a Commission for International Cooperation in Planetary Exploration to study options for cooperative international space exploration initiatives.

- o The bill provides authority for the Administrator to modify, upgrade, and otherwise make changes in facilities designated as historic landmarks necessary to meet operational requirements of authorized programs.

The bill also contains some important provisions for other Federal agencies having roles in the space program under our jurisdiction.

- The bill provides funding to meet the President's request for the Department of Transportation's Office of Commercial Space Transportation.

- The bill provides funding and certain "housekeeping" authorities for the National Space Council established under P.L. 100-685.

- The bill establishes an Office of Space Commerce within the Department of Commerce and outlines general functions and responsibilities.

Mr. Chairman, the space program has enjoyed several notable successes over the past year and the future holds great promise. All America has reveled in the celebration of the Apollo moon landing and marveled at the fantastic images of Neptune returned by Voyager 2. In October NASA will launch the long awaited Galileo mission to Jupiter.
Mr. Chairman I ask your strong support for this bill so that we can continue on track with this most precious piece of our Nation's heritage.

Mr. Chairman, this concludes my statement and I would be happy to answer any questions.

SAMPLE -- RULES COMMITTEE NOTICE OF ACTION TAKEN

ONE HUNDRED FIRST CONGRESS

JOHN JOSEPH MOAKLEY, MASSACHUSETTS, CHAIRMAN

BUTLER DERRICK, SOUTH CAROLINA
ANTHONY C. BEILENSON, CALIFORNIA
MARTIN FROST, TEXAS
DAVID E. BONIOR, MICHIGAN
TONY P. HALL, OHIO
ALAN WHEAT, MISSOURI
BART GORDON, TENNESSEE
LOUISE M. SLAUGHTER, NEW YORK

JAMES H. QUILLEN, TENNESSEE
RANKING MINORITY MEMBER
GERALD B. H. SOLOMON, NEW YORK
LYNN MARTIN, ILLINOIS
CHARLES PASHAYAN, JR., CALIFORNIA

THOMAS J. SPULAK, STAFF DIRECTOR/GENERAL COUNSEL
WILLIAM D. CROSBY, JR., MINORITY COUNSEL

U.S. House of Representatives
Committee on Rules
Washington, DC 20515-6269

COMMITTEE OFFICE
H-312 THE CAPITOL
(202) 225-9486

MINORITY OFFICE
H-305 THE CAPITOL
(202) 225-9191

NOTICE OF ACTION

Thursday, September 7, 1989

H.R. 1759	**Science, Space, & Technology**	**The National Aeronautics and Space Administration Multi-year Authorization Act of 1989.**

Granted an open rule providing one hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology. The rule makes in order the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology now printed in the bill as an original bill for the purpose of amendment. The bill is to be considered by section, with each section considered as having been read. Finally, the rule provides one motion to recommit with or without instructions.

SAMPLE -- OPEN RULE

IV

House Calendar No. 52

101ST CONGRESS
1ST SESSION

H. RES. 234

[Report No. 101–228]

Providing for the consideration of the bill (H.R. 1759) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 1989

Mr. HALL of Ohio, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

---

RESOLUTION

Providing for the consideration of the bill (H.R. 1759) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes.

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration

of the bill (H.R. 1759) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, and research and program management, and for other purposes. The first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Science, Space, and Technology now printed in the bill as an original bill for the purpose of amendment under the five-minute rule and each section shall be considered as read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening

motion except one motion to recommit with or without instructions.

SAMPLE -- MODIFIED OPEN RULE
(MAKING IN ORDER AN AMENDMENT IN THE NATURE OF A SUBSTITUTE)

IV

House Calendar No. 106

100TH CONGRESS
1ST SESSION

H. RES. 318

[Report No. 100-464]

Providing for the consideration of the bill (H.R. 791) to authorize the water resources research activities of the United States Geological Survey, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 1987

Mr. MOAKLEY, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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RESOLUTION

Providing for the consideration of the bill (H.R. 791) to authorize the water resources research activities of the United States Geological Survey, and for other purposes.

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 791) to authorize the water resources research activities of the United States Geological Survey, and for other purposes, and the first reading of the bill shall be

dispensed with. After general debate, which shall be confined to the bill and the amendment in the nature of a substitute made in order as original text by this resolution and which shall not exceed two and one-half hours, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works and Transportation, and with thirty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of the bill H.R. 3676 as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be considered by titles instead of by sections, each title shall be considered as having been read, and all points of order against said substitute for failure to comply

with the provisions of section 401(a) of the Congressional Budget Act of 1974, as amended (Public Law 93–344, as amended by Public Law 99–177) and with clause 7 of rule XVI are hereby waived. It shall be in order to consider the amendment printed in section 2 of this resolution, by and if offered by Representative Coleman of Texas, and all points of order against said amendment for failure to comply with the provisions of clause 7 of rule XVI are hereby waived. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At the end of the bill add the following new title:

"TITLE—NUCLEAR WASTE DISPOSAL

"SEC. . LOCATION OF DISPOSAL FACILITIES.

"(a) COMPACT STATES.—Section 4 of the Low-Level Radioactive Waste Policy Act (42 U.S.C. 2021d) is amended by adding at the end the following:

" '(c)(1) Consent to a compact under subsection (a) shall be conditioned on the requirement that the compact may not approve a regional disposal facility for low-level radioactive waste which is located within 60 miles of an international boundary.

" '(2) No compact approved under subsection (a) may approve a regional disposal facility for low-level radioactive waste which is located within 60 miles of an international boundary.'.

" '(b) NON-COMPACT STATES.—Section 5(e)(1) of the Low-Level Radioactive Waste Policy Act (42 U.S.C. 2021e(e)d) is amended by adding at the end the following:

" '(G) No non-member State may approve a regional disposal facility for low-level radioactive waste which is located within 60 miles of an international boundary'.".

SAMPLE -- MODIFIED CLOSED RULE

IV

House Calendar No. 17

101ST CONGRESS
1ST SESSION

H. RES. 145

[Report No. 101–45]

Providing for the consideration of the concurrent resolution (H. Con. Res. 106) setting forth the congressional budget for the United States Government for the fiscal years 1990, 1991, and 1992.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1989

Mr. DERRICK, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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RESOLUTION

Providing for the consideration of the concurrent resolution (H. Con. Res. 106) setting forth the congressional budget for the United States Government for the fiscal years 1990, 1991, and 1992.

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 106) setting forth the congressional budget for the United States Government

for the fiscal years 1990, 1991, and 1992, and the first reading of the resolution shall be dispensed with. All points of order against consideration of the concurrent resolution for failure to comply with the provisions of clause 2(l)(6) of rule XI and with section 305(a)(1) of the Congressional Budget Act of 1974, as amended (Public Law 93–344, as amended by Public Law 99–177) are hereby waived. After general debate, which shall be confined to the concurrent resolution and shall continue not to exceed five hours, including a period of two hours on the subject of economic goals and policies, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the concurrent resolution shall be considered as having been read for amendment under the five-minute rule. It shall be in order to consider an amendment if offered by the chairman or ranking minority member of the Committee on the Budget, said amendment shall be considered as having been read, shall be debatable for not to exceed thirty minutes, equally divided and controlled by the proponent and a Member opposed thereto, and shall not be subject to amendment. No further amendment to the concurrent resolution shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution, to be offered by the Member designated or his designee, said amendments shall be considered in the order designated and

shall be considered as having been read. Each of said amendments shall be debatable for the period specified in the report, to be equally divided and controlled by the Member offering said amendment and a Member opposed thereto, said amendments shall not be subject to amendment and shall be in order even if a previous amendment in the nature of a substitute has been adopted, and all points of order against said amendments are hereby waived. If more than one of the amendments in the nature of a substitute made in order by this resolution has been adopted, only the last such amendment which has been adopted shall be considered as having been finally adopted in the Committee of the Whole and reported back to the House. It shall be in order to consider the amendment or amendments provided in section 305(a)(5) of the Congressional Budget Act of 1974, as amended, necessary to achieve mathematical consistency. At the conclusion of the consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion.

Suspension of the Rules

(Rule XXVII, Cl. 1-3)

A number of bills reported by committees, although not completely without opposition, are basically of a noncontroversial nature. In order to assure more rapid consideration of such measures, the House has devised a method of disposing of such legislation outside the regular course of business. This method is by a procedure called "Suspension of the Rules," sometimes referred to erroneously as the "Suspension Calendar." A bill to be considered under Suspension of the Rules thus bypasses consideration by the Rules Committee and, in effect, "suspends the Rules" for its consideration on the House floor. For instance, a point of order raised against a bill on the House floor, e.g., absence of a quorum to report a bill out of committee, would not be valid under the Suspension procedure. Passage of the measure requires a two-thirds affirmative vote of the Members voting, a quorum of the Whole House being present.

Once a bill has been reported by the full committee, the Chairman, in consultation with the Subcommittee Chairman, and usually with the agreement of the Ranking Minority Member, decides if suspension of the rules is the best route to take for floor consideration of the legislation.

$100 MILLION CEILING GUIDELINE

The Rules of the Democratic Caucus require that if any cost estimate of the bill, made by the committee or any other government agency, indicates that the bill or resolution will make or authorize appropriations in excess of $100 million for any fiscal year, such estimate must be included in the letter to the Speaker requesting consideration under suspension of the rules.

Theoretically, this $100 million figure sets a ceiling guideline for the Speaker and Committee Chairman to follow in determining whether a bill should be considered by the suspension procedure. In the event that a cost estimate over $100 million has been made on the bill and the Committee Chairman feels consideration by the suspension procedure is justified, then such request, including the cost estimate, should be submitted to the Speaker. The Speaker may then request the Democratic Steering and Policy Committee to review the request. The Steering and Policy Committee may, by vote of the full committee, authorize the scheduling of such measure under suspension of the rules.

REQUESTING CONSIDERATION UNDER SUSPENSION PROCEDURE

To request consideration under suspension of the rules, a letter is written to the Speaker of the House from the Chairman of the full Committee. The letter is prepared by the Legislative Clerk in consultation with appropriate staff, and routed through the Chief Counsel's office for the Chairman's approval. The letter should contain the following information:

1. Brief description of the bill;
2. Statement that Committee properly reported the bill;

3. Statement that there is little or no opposition to the bill (including Administration position, if appropriate); and

4. Cost estimate made by Committee or government agency, *if in excess of $100 million* for any fiscal year.

A copy of the bill and legislative report should accompany the letter. Copies of the letter should be sent to the Rules Committee Chairman, as well as the Majority and Minority Leaders.

The Speaker has complete discretion in deciding what bills will be considered under suspension of the rules, unless a cost estimate in excess of $100 million has been made by the committee or any other government agency on the bill; in such a case, final authorization for consideration under Suspension of the Rules is made by the Democratic Steering and Policy Committee. (This situation is described above.)

NOTIFICATION OF SCHEDULING

Notification of the scheduling of a bill under suspension of the rules will be made to the Chief Counsel, who will notify the subcommittee staff involved.

FLOOR PROCEDURE UNDER SUSPENSION OF THE RULES

The Suspension procedure is reserved for Mondays and Tuesdays of each week, or during the last six days of the session. The motion is made on the House Floor to suspend the Rules and pass a bill. If the bill that is to be considered has not been available to Members for at least 1 legislative day, this motion must be seconded by a majority of the Members present on the House Floor.

Forty minutes of debate take place on the bill, twenty minutes to those in favor of the bill, and twenty minutes to those opposed to the bill. The affirmative vote of two-thirds of the Members voting, a quorum (of the Whole House) being present, is necessary to pass the legislation. (For sample floor language, see p. 136.)

A key minority staff member should be advised as soon as a decision is reached so that proper clearance can be granted on the minority side when a request is made on the floor.

Amendments

While it is often assumed that a bill being considered under Suspension may not be amended, this is not strictly accurate. To amend a bill, the Member making the motion to suspend must include in his motion the amendment which is read by the Clerk as part of the original bill to which the motion applies. The bill with the amendment must then be disposed of in its entirety.

Voting

The Speaker is authorized to postpone votes on suspensions until a later time during the day when all suspensions can be voted on consecutively in 5-minute intervals. Such announcement must be made by the Speaker prior to the commencement of the suspension procedure.

Failure of Passage

In the event that a bill fails to receive a two-thirds affirmative vote of the Members voting (a quorum of the whole House being present), it is in order to request a Rule from the Rules Committee in order to obtain Floor consideration. (See "Rules Committee," page 69).

SAMPLE -- REQUEST TO CONSIDER BILL UNDER SUSPENSION OF RULES

ROBERT A. ROE, New Jersey, Chairman

GEORGE E. BROWN, Jr., California
JAMES H. SCHEUER, New York
MARILYN LLOYD, Tennessee
DOUG WALGREN, Pennsylvania
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WOLPE, Michigan
BILL WILSON, Florida
RALPH M. HALL, Texas
DAVE MCCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
RICK BOUCHER, Virginia
TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
JAMES A. TRAFICANT, Jr., Ohio
LEE H. HAMILTON, Indiana
ROBERT J. MRAZEK, New York
CARL C. PERKINS, Kentucky
TOM MCMILLEN, Maryland
DAVID E. PRICE, North Carolina
DAVID R. NAGLE, Iowa
JIMMY HAYES, Louisiana
DAVID E. SKAGGS, Colorado
JERRY F. COSTELLO, Illinois
HARRY JOHNSTON, Florida
JOHN TANNER, Tennessee
GLEN BROWDER, Alabama

ROBERT S. WALKER, Pennsylvania
F. JAMES SENSENBRENNER, Jr., Wisconsin
CLAUDINE SCHNEIDER, Rhode Island
SHERWOOD L. BOEHLERT, New York
TOM LEWIS, Florida
BOB RITTER, Pennsylvania
SID MORRISON, Washington
RON PACKARD, California
ROBERT C. SMITH, New Hampshire
PAUL B. HENRY, Michigan
FRANK W. TAYLOR, Illinois
D. FRENCH SLAUGHTER, Jr., Virginia
LAMAR SMITH, Texas
JACK BUECHNER, Missouri
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SHAYS, Connecticut
DANA ROHRABACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID D. CLEMENT
Republican Chief of Staff

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6371

September 6, 1989

The Honorable Thomas S. Foley
The Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I am requesting your assistance in scheduling, under suspension of the Rules, H.R. 3000, the Fastener Quality Act, and H.R. 996, the Congressional Scholarships for Science, Mathematics, and Engineering Act, at the earliest possible date.

H.R. 3000 was favorably reported, a quorum being present, by the Committee on Science, Space, and Technology on July 26, 1989. The bill seeks to reduce the danger and costs of fastener failure in buildings, aircraft, motor vehicles, military equipment, and in other critical uses by requiring that certain standards are met in their manufacture. The bill represents consensus between the two committees with jurisdiction. As no cost is anticipated to Federal or state and local governments with its implementation, the bill meets the criteria for consideration under suspension of the Rules.

H.R. 996, was also favorably reported, a quorum being present, by the Committee on July 26, 1989. The purpose of the bill is to strengthen the science and technology base of the United States by encouraging talented students to pursue postsecondary education in science, mathematics, and engineering. Since the cost would not exceed the $100 million ceiling in any one year, as noted in the cost estimate in H.Rept. 101-220, consideration under suspension of the Rules is feasible. Neither bill has generated any opposition.

I appreciate your efforts on behalf of the Committee.

Sincerely,

ROBERT A. ROE
Chairman

RAR/pt
Enclosure

LEGISLATIVE PROFILE
FLOOR CONSIDERATION

Bill No.: _____ Tentative Floor Date: _____

Committee: _____ Full Committee Consideration:
Yes _____ No _____ Vote _____

Floor Manager: _____ phone no. _____

Committee Staff: _____ phone no. _____

Brief Description:

Rule:
Yes _____
No _____ Type _____ Estimated Floor Time: _____

Suspension:

Joint or Sequential Referral (specify): _____

Budget Impact:

Please return (or fax) to House Majority Leader's office H-148 (phone 225-0100; fax 225-7414) by 11:00 a.m. Wednesday the week prior to floor consideration.

FLOOR ACTION

Floor Scheduling

Final determination of the floor schedule is made by the Majority Leadership.

Every Thursday, the Majority Leader announces the floor schedule for the next week, and orders the announcement printed in the Congressional Record. In addition, the Majority Whip sends to all Member and Committee offices a *Whip Notice,* advising them of the schedule. This is subject to change, and constant monitoring is required.

When one of the committee's bills is scheduled for floor action, the Majority Leader's office will call the Chief of Staff. Pertinent staff will be notified at that time. Staff calls to the Leadership Offices regarding scheduling are discouraged by the Majority Leader's office.

Legislative program information can be obtained by calling x51600, which provides the daily and weekly schedule; current and completed floor information can be obtained by calling x57400.

Also, staff can obtain the information described above through the Member Information Network database "FLOOR."

SAMPLE -- WHIP NOTICE

WILLIAM H. GRAY III
PENNSYLVANIA
MAJORITY WHIP

Congress of the United States
House of Representatives
Office of the Majority Whip
Washington, D.C. 20515

August 14, 1989

WHIP NOTICE INFORMATION

Legislative Program - - 51600
Floor Information - - 57400
Whip Information - - 53130

My Dear Colleague:

The program for the House of Representatives for the week of September 4 is as follows:

MONDAY, SEPTEMBER 4

HOUSE NOT IN SESSION

LABOR DAY

TUESDAY, SEPTEMBER 5

HOUSE NOT IN SESSION

LABOR DAY DISTRICT WORK PERIOD

WEDNESDAY, SEPTEMBER 6

HOUSE MEETS AT NOON

H.R. 1668 - - NOAA & Coastal Programs Authorization Act
(Open rule, one hour of debate)

H.R. 2427 - - NOAA Atmosphere & Satellite Programs Authorization, Fiscal Years 1990-92
(Open rule, one hour of debate)

THURSDAY, SEPTEMBER 7

HOUSE MEETS AT 10:00 A.M.

H.R. 1594 - - To extend Most-Favored Nation Status to Hungary For Five Years
(Subject to a rule)

H.R. 2869 - - Commodity Futures Improvement Act
(Subject to a rule)

FRIDAY, SEPTEMBER 8

HOUSE NOT IN SESSION

Conference reports may be brought up at any time. Any further program will be announced later.

Sincerely,

William H. Gray, III
Majority Whip

Committee Staff Floor Privileges

Periodically, the list of committee staff accorded floor privileges is updated and sent to the Doorkeeper. If it is necessary to gain floor admission for the consideration of committee legislation, contact the Chief of Staff so that the appropriate steps can be taken to cover admission to the floor.[1] Staff should observe the following rules regarding these Floor privileges:

RULE XXXII OF ADMISSION TO THE FLOOR

1. The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice President of the United States and their private secretaries, judges of the Supreme Court, Members of Congress and Members-elect, contestants in election cases during the pendency of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of departments, foreign ministers, governors of States, the Architect of the Capitol, the Librarian of Congress and his assistant in charge of the Law Library, the Resident Commissioner to the United States from Puerto Rico, each Delegate to the House, such persons as have, by name, received the thanks of Congress, the Parliamentarian, elected officers and elected minority employees of the House (other than Members); and ex-Members of the House of Representatives, former Parliamentarians of the House and former elected officers and elected minority employees of the House, subject to the provisions of clause 3 of this rule; and clerks of committees when business from their committee is under consideration and not more than one person from a Member's staff when that Member has an amendment under consideration, subject to the provisions of clause 4 of this rule; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the chair the request of any Member for unanimous consent.

2. There shall be excluded at all times from the Hall of the House of Representatives and the cloakrooms all persons not entitled to the privilege of the floor during the session, except that until fifteen minutes of the hour of the meeting of the House persons employed in its service, accredited members of the press entitled to admission to the press gallery, and other persons on request of Members, by card or in writing may be admitted.

3. Ex-Members of the House of Representatives, former Parliamentarians of the House, and former elected officers and former elected minority employees of the House, shall be entitled to the privilege of admission to the Hall of the House and rooms leading thereto only if they do not have any direct personal or pecuniary interest in any legislative measure pending before the House or reported by any committee of the House and only if they are not in the employ of, or do not represent, any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat or amendment of any legislative measure pending before the House, reported by any committee of the House or under consideration in any of its committees or subcommittees. The Speaker shall promulgate such regulations as may be necessary to implement the provisions of this rule and to ensure its enforcement.

4. Persons from Member's staffs admitted to the Hall of the House or rooms leading thereto under clause 1 shall be admitted only upon prior notification to the Speaker. No such person or clerk of a committee so admitted under clause 1 shall engage in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Such persons and clerks shall remain at the desk and are admitted only to advise the Member or committee responsible for their admission. Any such person or clerk who violates this clause may be excluded during the session from the Hall of the House and rooms leading thereto by the Speaker.

Preparation for Legislative Debate

In anticipation of floor consideration of legislation, staff who have worked on the legislation should prepare materials to be used by the Members in legislative debate. These materials may include:

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[1] Per Rule XXXII Annotation: 4 professional Committee staff and one clerical staff are allowed on the House floor at any one time during consideration of Committee legislation.

1. Whip Advisory;
2. Background materials, including hearings, on the legislation;
3. The Committee Report and copies of the bill;
4. Floor Statements;
5. Dear Colleague letters;
6. Amendments;
7. Motions and forms; and
8. Miscellaneous items.

A more detailed discussion of the above follows:

1. WHIP ADVISORY

The *Whip Advisory* is a brief summary of a bill that is to be considered on the floor of the House. It is helpful in summarizing the highlights of the legislation so that the various staffs and groups that prepare materials prior to floor consideration are provided with an accurate, concise summary. The subcommittee which has acted on the legislation prepares the Whip Advisory, following the general format of the sample page 101. The Advisory should be a concise summary of the legislation, highlighting the following information:

1. Committee action on the bill;
2. Rules Committee action;
3. Summary of the legislation;
4. Background of the legislation;
5. Cost of the legislation;
6. Anticipated amendments; and
7. Floor Manager(s) (i.e., Majority Member(s) of Committee who leads debate on the floor in favor of the bill).

The draft Whip Advisory should be cleared by the Chairman through the Chief Counsel. Coordination and other arrangements with the Whip's office are usually provided through the Legislative Clerk.

Whip Advisories are not required by the Whip's Office for bills to be considered under suspension of the Rules. However, a draft Whip Advisory may be requested of staff by the Committee's Chief Counsel to be supplied to the House Leadership in order to define clearly the Committee's intentions regarding a measure.

2. BACKGROUND MATERIALS ON THE LEGISLATION

Staff will probably want to review committee action on the bill and confer with Members of the committee to determine the position to be taken on the floor and to anticipate, to the extent possible, the course of debate on the House floor (e.g., amendments to be offered). The staff will usually prepare background materials, as appropriate.

3. FLOOR STATEMENTS

Staff may have the responsibility of preparing floor statements for use by some of the Committee Members. In the preparation of a floor statement, particular attention should be placed on explaining the position of the Member on the legislation, the effect of the bill, and difficult or controversial sections of the bill, including

Committee action to resolve the controversy. Staff should be particularly sensitive to the historical value of floor statements as an important source of information regarding the purpose and intent of the law.

Other statements prepared for Member use might include:

—Drafts of 5-minute speeches in support of amendments
—Drafts of 5-minute speeches in opposition to amendments
—Drafts of speeches regarding points of order which might be raised with respect to the bill or any amendments.
—Member colloquys.

4. "DEAR COLLEAGUE" LETTERS

While sending out "Dear Colleague" letters is not a routine method of soliciting support for legislation, it may at certain times be an effective means of communicating to the Members of the House a particular stand of some upcoming legislation. A "Dear Colleague" may be an individual or Committee statement; the letterhead should be selected accordingly.* One rule of thumb to follow: When drafting a "Dear Colleague" letter, it is wise to state the purpose of the letter in the first paragraph in order to capture the attention of the person who is reading the letter.

5. AMENDMENTS

Staff will want to prepare amendments in advance, if possible. The amendment language should be as concise as possible, citing first the page, then the line, other designations as necessary, and finally the actual change to be made. Amendment forms (attached) may be obtained from the Legislative Clerk.

Sets of all amendments should be made to give to the Reading Clerk, who will retain the original and forward copies to the official Reporter, the Journal Clerk and the Enrolling Clerk. There should also be a sufficient number of copies to provide to Members of the Committee and other Members and staff.

Staff may also want to prepare, as appropriate:

—Drafts of 5-minute speeches in support of amendments to be offered by Members
—Drafts of 5-minute speeches in opposition to amendments to anticipated amendments.

Prior Printing in the Congressional Record (Rule XXIII, Clause 6)

Amendments may be submitted and printed in the Congressional Record up to a day before floor consideration of a bill. Prior printing of an amendment in the Record guarantees to the Member 5 minutes of debate time on the amendment, and to the first person to rise in opposition to the amendment 5 minutes of debate time. This guarantee can protect a Member in the event debate is closed on a bill. Furthermore, while most of this committee's bills are considered under an open Rule, a modified Rule governing the floor consideration of a bill may contain the restriction that all amendments to a bill be printed in the Congressional Record prior to floor

*Committee letterhead is not used for "Dear Colleague" letters unless the contents reflect the views of the entire Committee, and have been approved, in advance, by the Committee Chairman.

consideration. Amendments to be printed in the Congressional Record are required to be signed by the Member offering the amendment.

6. MOTIONS AND FORMS

In the House, there are literally hundreds of motions and unanimous consent requests that may be in order during the consideration of business. A number of motions, however, are used more frequently than others under regular procedure in the House. A list of some of the more common motions and forms and the legislative conditions to which they relate are in a separate chapter beginning on page 134. Particular attention should be paid to those motions appropriately made by the Floor Manager of the bill.

7. MISCELLANEOUS ITEMS

It is often useful to have the following items readily available on the floor during consideration of a bill:

1. Copies of bills and reports for use (The Document Room supplies copies to Members on the House Floor), and the hearings (if available).
2. Amendments generally are prepared in advance of House floor activity on a bill.
3. Scissors and tape for cutting and pasting and any other stationery items that might be necessary.

The principal staff person on the floor should not hesitate to make use of the computer equipment capable of tracking the vote on an amendment or bill as it is occurring or consult the House Parliamentarian for help in matters of parliamentary procedure.

SAMPLE -- WHIP ADVISORY

WHIP ADVISORY

WILLIAM H. GRAY, III
MAJORITY WHIP
The Capitol
225-3130

No. 52 September 18, 1989

Multiyear National Aeronautics and Space Administration Authorization Act (H.R. 1759)

The House is scheduled this week to consider legislation authorizing $12,793,800,000 for fiscal year 1990 and associated policy provisions for the National Aeronautics and Space Administration. The bill also authorizes $9,271,000,000 for fiscal year 1991 and $13,282,950,000 for fiscal year 1992. In addition, the bill authorizes $4,392,000 for the Department of Transportation Office of Commercial Space Transportation, and $1,200,000 for the President's National Space Council.

Action by the 101st Congress

- Ordered reported by the Committee on Science, Space, and Technology August 3 (voice)
- Report filed August 31 (H.Rept. 101-226)
- Rules Committee, September 7, 1989, granted open rule, one hour debate

Floor Manager: Chairman Robert A. Roe

Bill Summary

HR 1759 provides multiyear authority for NASA's major programs and provides special guidance and authority in critical policy areas for fiscal years 1990 through 1992. Fiscal year 1990 funding for NASA is authorized as follows:

- $5,407,000,000 for research and development;
- $5,014,000,000 for space flight, control and data communications;
- $332,000,000 for construction of facilities;
- $2,032,000,000 for research and program management;

The bill is budget neutral with respect to the Administration's request. The bill authorizes the full $1.6 billion in budget authority for the CRAF/Cassini program of which approximately $30 million will be spent in fiscal year 1990. The bill also authorizes the use of appropriations previously made for the replacement orbiter for Shuttle structural spares.

The bill contains special policy provisions pertaining to: the export of satellites for launch on Soviet and Chinese launch vehicles; the establishment of a Commission for International Cooperation in Planetary Exploration; guidelines for private financing of NASA facilities including an advanced solid rocket motor facility; the establishment of a strategic plan for life sciences; the upgrading of NASA facilities designated as historic landmarks; the management of the National Aerospace Plane program; and, the establishment of a World Space Congress in association with the International Space Years.

Parliamentary Procedure in the Consideration of a Bill

The Rules of the House of Representatives govern proceedings on the House floor.

The House is further guided by the precedents that have been established throughout the years. These parliamentary precedents and other rulings of the Chair are compiled in several major volumes: *Hinds' Precedents of the House of Representatives* and *Cannon's Precedents of the House of Representatives* cover precedents and procedures of the House through 1959. *Deschler's Procedure* contains the modern precedents of the House (1959–1976). A condensed version of the modern precedents and practices of the House is prepared for each Congress by the Parliamentarian of the House. (Much can be learned about parliamentary procedure in practice by reading the Congressional Record.)

Although there are literally thousands of procedures in practice on the House floor, there is a usual procedure the House follows when considering legislation. This procedure is framed by the full House of Representatives acting as the Committee of the Whole, a parliamentary device used to expedite consideration of legislation in the House, and described below:

The Committee of the Whole (Rule XXIII)

The Committee of the Whole is a committee on which every Member of the House serves. Technically, there are two Committees of the Whole. The "Committee of the Whole House" considers private business, and the "Committee of the Whole House on the State of the Union" deals with public business on the Union Calendar. (Bills considered by the Science, Space, and Technology Committee are normally, but not always, Union Calendar bills, those involving money matters or directly affecting the budget.)

There are several major differences between the work of the Committee of the Whole and the work of the House of Representatives:

1. A quorum in the Committee of the Whole is 100 Members, while a quorum in the House is a majority of the Members of the House.
2. In the Committee of the Whole, the Speaker does not preside as he does in the House; rather, he appoints a Chairman to preside (i.e., any Majority Member chosen by the Speaker).
3. In the Committee of the Whole the five-minute Rule for debate on amendments is in effect, rather than the one-hour Rule which applies in the House.

Customarily, the House resolves itself into the Committee of the Whole for the consideration of a bill just after it has adopted the Rule governing the bill's consideration (for an explanation of Floor consideration of a Rule, see page 71). Before the House resolves into the Committee of the Whole, the Majority Floor Manager may request general leave for all Members to have five legislative days to revise and extend their remarks on the bill which is about to be considered.

Resolving into the Committee of the Whole

The Majority Floor Manager (the Majority Member of the Committee who is leading the Floor debate in favor of the bill) moves that the House resolve itself into the Committee of the Whole House on the State of the Union. If the rule written for consideration of the bill provides for this motion, the speaker will note it as such, eliminating the need for a separate motion by the Floor Manager. At this point, the Chairman presides and instructs the Clerk to begin the "First Reading of the Bill" (by title only). This signals the beginning of general debate.

General Debate

After the Clerk has read the title of the bill, the Chairman recognizes the Majority and Minority Floor Managers for equal debate time, as provided by the Rule accompanying the bill (e.g., in a one-hour, open Rule, each side is allotted 30 minutes time for general debate). The Floor Managers are in control of the debate time.

Members desiring to speak on the measure will often arrange this in advance with the Floor Manager. Many Members during the debate will ask unanimous consent to "revise and extend" their remarks, which automatically places their written remarks in the Congressional Record.

Debate expires at the end of the time allotted under the Rule, or when all requests for time have been honored, if earlier.

Consideration of Amendments Under the Five-Minute Rule

Following the conclusion of general debate, the Clerk is recognized by the Chairman to begin the "Second Reading of the Bill" (full text). The Floor Manager will usually ask unanimous consent that the bill be considered as read and open for amendment at any point, signifying the beginning of the amendment process (the Rule adopted earlier may provide that the second reading be dispensed with). Amendments are required to be germane (Rule XVI, Clause 7).

Individual amendments are generally considered according to the section of the bill to which they relate; however, it is House practice that the committee's amendments (i.e., those reported by the committee) be considered first. Committee amendments are usually considered en bloc. Amendments from the floor are then in order. Amendments to the title of the bill, however, are not in order until after the final passage (Rule XIX).

With respect to debate on amendments, the five-minute rule provides that amendments to the bill be considered, with five minutes debate time provided to the Member offering the amendment, and five minutes debate time provided to the first Member to rise in opposition. A Member may offer a *pro forma* amendment (e.g., "I move to strike the last word"), which is a non-substantive amendment and is used to extend debate time for an additional five minutes. Many Members enter the debate this way.

Amendments (excluding *pro forma* amendments) should be submitted (either by the Member or by staff) to the Reading Clerk prior to their being offered. Staff may check with the Reading Clerk during general debate for any non-confidential amendments

that have been submitted. During the five-minute Rule, amendments may be seen at the Desk, but staff should try to avoid interfering with the Reading Clerk's responsibilities. When an amendment is offered, the Reading Clerk will transmit five copies of the amendment to the Majority and Minority Committee tables.

The Floor Manager may request unanimous consent that debate on one or all amendments be closed at a particular time. If debate is closed, Members who submitted amendments in the Congressional Record prior to floor consideration are guaranteed consideration of their amendment under the five-minute rule. (The Member must still seek recognition and give a copy to the Reading Clerk.)

Degrees of Amendments

House Rule XIX provides four kinds of amendments, or motions, in the first and second degrees to be pending simultaneously, as follows:

1. An amendment to the original bill: This may take the form of an amendment in the nature of a substitute, or it may amend only a portion of the text.
2. An amendment to the amendment: Considered "perfecting" amendments, these must be disposed of one at a time, as each is raised. A perfecting amendment may be a small amendment, or it may strike all after the first word and replace the amendment with new text. Once any portion of the amendment has been "perfected", further perfecting amendments to that portion of the amendment are not in order.
3. A substitute for the original amendment: A "substitute" proposes new language to replace the language offered as an amendment to the text of the bill. It is not to be confused with "an amendment in the nature of a substitute" which proposes all new text for the entire bill, although a substitute, if offered as an alternative to an amendment in the nature of a substitute, may take the same form, i.e., "strike all after the enacting clause and insert . . ."
4. Amendment to the substitute: These are perfecting amendments (see item 2, above).

Voting on Amendments

Many amendments are dispensed with on the House floor by voice vote. However, a Member may demand a recorded vote, which demand must be supported by at least 25 Members.

Votes on amendments are taken in the following order:

First: Vote on the perfecting amendments to the amendment to the text.

Second: Vote on the perfecting amendments to the substitute.

Third: Vote on the substitute, as perfected.

Fourth: Vote on the original amendment as amended by perfecting amendments or by the substitute.

An "amendment tree" on page 106 displays the order in which amendments are voted.

When all action on amendments has been completed, the Chairman, pursuant to the Rule, orders that the Committee "rise".

The Committee Rises

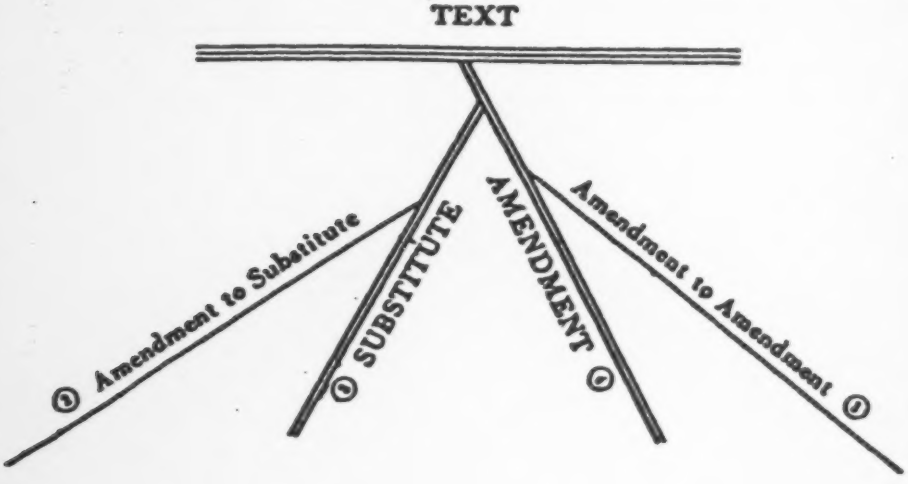
When the Committee rises, the Speaker assumes the Chair, and the Chairman reports to the Speaker the action on the bill in the Committee of the Whole.

AMENDMENT TREE

(from Cannon's Procedure)

Amendments.

They must, however, be voted on in the following order (VIII, 2892):



Additional debate and amendments

At this point, pursuant to the Rule, the Speaker orders the "previous question," which in effect closes debate on the bill (Rule XVII). (If the Rule does not specify that the previous question be considered as ordered when the Committee rises, the House continues to debate for one hour, during which time amendments may be offered. In most Rules governing consideration of Science, Space, and Technology Committee bills, the first case prevails.) After the previous question is ordered, the House is brought to an immediate vote on adopting the amendments that have passed in the Committee of the Whole. A separate vote may be demanded by any Member on any amendment at this time. If a separate vote is not demanded, the amendments are usually voted on en bloc.

The Speaker then puts the question on the "Engrossment and the Third Reading of the Bill" (by title). (The "engrossed bill" is the official House-passed copy of the bill, distinguished by its printing on blue paper. Distribution is limited to the Majority and Minority Leadership.)

Rule XVI, Clause 4, authorizes one motion to recommit the bill to the committee with or without instructions. Such motion may be made by a Member (usually Minority) in opposition to the bill, following the engrossment of the bill.

Final passage

After the full House has adopted the amendments, the bill, as amended, is before the House for final passage. The Speaker then puts the question on the passage of the bill.

Any Member may object to a vote on the ground that a quorum is not present. (The specific motion is, "Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.")

When this motion is made, it precipitates what is called an "automatic" quorum call. Members will have 15 minutes in which to cast their votes on the final passage of the bill. Final vote will be announced by the Speaker.

Upon passage of the bill, an automatic, *pro forma* "motion to reconsider (the bill)" is made and laid upon the table. This is done to preclude the possibility of such a motion being made at a later date.

With respect to any motion to recommit with instructions after the previous question has been ordered, it is in order to debate such motion for 10 minutes before the vote was taken. However, on demand of the majority Floor Manager it shall be in order to debate such motion for one hour. Rule XVI, Clause 4.

*LEGISLATIVE BELL AND *LIGHT SIGNALS -- 101ST CONGRESS*

HOUSE LEGISLATIVE

ELECTRIC BELL SIGNALS*

1 ring—Teller vote. Not recorded.

1 long ring (pause, followed by **3** rings)—Signals the start or continuation of a notice quorum call. (This call will be terminated if and when 100 Members appear.)

1 long ring—Termination of a notice quorum call.

2 rings—Electronically Recorded Vote.

2 rings (pause, followed by **2** rings)—Manual roll call vote—(the bells will be sounded again when the clerk reaches the R's).

2 rings (pause, followed by **5** rings)—First vote under Suspension of the Rules, or on clustered votes. (**2** rings will be rung 5 minutes later. The first vote will take 15 minutes with successive votes at intervals of not less than 5 minutes. Each successive vote signaled by **5** rings.)

3 rings—Quorum call (either initially or after a notice quorum has been converted to a regular quorum call. The bells are repeated 5 minutes after the first ring. Members have 15 minutes to be recorded).

3 rings (pause, followed by **3** rings)—Manual quorum call (the bells will be sounded again when the clerk reaches the R's).

3 rings (pause, followed by **5** rings)—Quorum call in Committee of the Whole, which may be immediately followed by a 5-minute recorded vote.

4 rings—Adjournment of the House.

5 rings—Five-minute Electronically Recorded Vote.

6 rings—Recess of the House.

12 rings rung at 2 second intervals—Civil Defense Warning.

*Where lights exist they will correspond with rings.

Correction of Floor Remarks for Congressional Record

Under current procedure, the Member's remarks made when he has control of the time are either given to the Member on the Floor or sent to his office. Remarks made by that Member when another Member has control of the time will not necessarily be made available to the Member unless he specifically requests an opportunity to correct them.

Committee staff are sometimes requested to review and correct for the Record remarks of Members of the Committee who serve as Floor Managers on a specific piece of legislation. In order for the staff to make proper review of these remarks, they may either correct them on the floor after debate, or, if that is not possible, inform the Congressional Record Clerk that the remarks are to be forwarded to them for correction. In the case of remarks made during another Member's time, staff can only request the Member in control of the time at the time the remarks were made that the remarks be forwarded to them for correction.

In order to avoid confusion, staff are encouraged to correct remarks before leaving the floor.

Extension of Remarks

A Member may wish to include some remarks on a particular topic in the Congressional Record. A Member must ask permission to submit his remarks in the Record. Staff assigned responsibility for submitting extensions should make a double check with the Member's office to ensure that the Member has obtained permission. If not, a telephone call to the Cloakroom will usually be sufficient to obtain permission.

Extensions must be *signed* by the Member and are submitted to the Record Clerk during the House session. Staff may deliver extensions to the Majority or Minority Doorkeeper, as appropriate.

Under present regulations, extensions are limited to two pages of the printed Record (12 typewriter double-spaced pages on 8½ by 11 paper will fill two pages in the Record). For matter in excess of two pages, a cost estimate must be obtained from the Public Printer, and that estimate must be included in the unanimous consent request made by that Member to insert matter "notwithstanding the additional cost." The submission of material in excess of two pages may delay printing of the remarks for one or more days, particularly if a cost estimate has not been obtained in advance.

SENATE ACTION ON HOUSE BILLS

Following the bill's engrossment (its preparation by the House Enrolling Clerk to reflect the House amendments), it is messsaged to the Senate at which time the concurrence of that body may be requested.

The procedural disposition of the bill depends in large part on whether there already exists legislation of a similar nature to the House measure. In the absence of a "companion" bill, the usual course is for the bill to be referred to the appropriate committee, where it receives the same kind of detailed review as it received in the House Committee.

Frequently, however, in the case of the Science, Space, and Technology Committee's annual authorizations, Senate activity on counterpart legislation generally will parallel the House bill's consideration. In this event, the House bill is usually held at the desk, and placed on the Senate Legislative Calendar, where further action on the bill awaits arrival on the floor of the Senate reported measure.

Senate floor procedures differ markedly from the procedures on the House floor, with a majority of floor actions taking place by unanimous consent. (Several references dealing with Senate floor procedure are listed in the Reference Section of this manual, beginning on page 1.)

If, after passage of the Senate counterpart measure, the Senate chooses to act on the House bill being held at the desk, several procedural options are possible, the choice of which will be determined by the nature of the legislation and the recommendations of the Senators and staff involved in managing the legislation.

1. The Senate may approve the House bill without amendment, thus clearing the measure for the President. The House bill thus supersedes the Senate measure, which is then "laid on the table."

2. The Senate may agree to the House bill with amendments. The amendments may simply amend portions of the House bill, or an amendment may replace the entire text of the House bill with the text of a Senate-passed bill. If the bill is amended, it is returned to the House with a request for concurrence in the Senate amendments. (See "Reconciling the Differences Between the House and Senate," page 113.)

3. The Senate may request a conference, following passage of the House bill with Senate amendments and adoption of a motion to insist on the Senate amendments. (For a discussion of conference procedures, see "Conferences", page 115.)

HOUSE CONSIDERATION OF SENATE BILLS

Senate bills received in the House are referred, by the Speaker, to the Committee(s) of appropriate jurisdiction. If the Committee chooses to act on the Senate bill, the bill then proceeds through the

legislative process in the same manner as bills originating in the House. (Pages 23–109 deal with Committee and floor consideration of a bill.)

Taking Senate Bills From Speaker's Table

If the Senate bill is similar in nature to a House bill which has been reported by a committee, then the Senate bill is held at the Speaker's desk where it usually remains until the reported House bill is considered on the floor.

Following the House bill's passage, the choice of procedural options with respect to the Senate bill will be influenced by the nature of the legislation as well as the recommendations of the Members and staff who are managing the legislation. Senate bills are taken from the Speaker's table by a unanimous consent request made by the Committee of jurisdiction. Debate proceeds under the one-hour rule.

Procedural Options

Procedural options for dealing with the Senate bill follow:

1. The House may agree to the Senate bill without amendment, thus tabling the House-passed bill. This course would more likely be followed in the consideration of noncontroversial legislation or bills requiring expeditious handling.
2. The House may agree to the Senate bill with amendments. The normal procedure is to strike all after the enacting clause of the Senate bill and to substitute it with the text of the House-passed bill. The amended bill is then returned to the Senate with a request for the Senate's concurrence in the House amendments.
3. The House may, in anticipation of the Senate's disagreement with the House amendments, follow the procedure described in step 2, above, insist on its amendments and request a conference with the Senate. (For a discussion of conference procedures, see p. 115).

The appropriate floor language for the above actions can be found on page 137.

RECONCILING THE DIFFERENCES BETWEEN THE HOUSE AND SENATE

Before a bill can be enacted into law, it must be passed in identical form by both Houses of Congress. In other words, before a bill can be sent to the President for signature, the differences between the House and Senate on a piece of legislation must be resolved.

The Rules provide several methods—at varying degrees of formality—by which the two Houses may reconcile their legislative differences. The course pursued will depend, of course, on the nature of the legislation and the level of controversy between the two Houses, the degree of consultation between the two Houses, and the recommendations of the Members and staff involved.

(The following discussions relate to legislative procedure on bills originating in the House; if a bill originates in the Senate, the procedural steps are simply reversed.)

Receipt of House Bill With Senate Amendments

As in the case of all messages between the two Houses, a House bill with Senate amendments is transmitted formally to the House and the notice and message of the Senate transmittal is printed in the Congressional Record for that day. The bill, with amendments, remains at the Speaker's desk until further House action on the amendments.

Taking House Bills With Senate Amendments From Speaker's Table

Any amendment of the Senate to a House bill is subject to the point of order that it must first be considered in the Committee of the Whole House on the State of the Union, if originating in the House, it would be subject to that point. (Rule XX, Cl. 1). On rare occasions, Senate amendments are referred by the Speaker to the committee of jurisdiction for legislative consideration. The normal House procedure is for the House bill with Senate amendments to be taken from the Speaker's table by unanimous consent request made by the committee of jurisdiction. Debate proceeds under the one-hour rule.

The procedural options by which legislative differences may be resolved are as follows:

(1) The House may agree to the amendments of the other House, with or without further amendment;

(2) The House may amend the amendments of the other House; or

(3) The House may disagree to the amendments of the other House and request a conference. (See "Conferences", page 115.)

Agreeing to Amendments of the Other Body

Political comity frequently enables legislative differences between the two Houses to be resolved quickly—especially if the legislation is noncontroversial or in need of expeditious treatment.

If the Committee Members and staff determine that concurrence in the Senate amendments is the most desirable course of action, then the Chairman, or his designee, makes a unanimous consent request on the House floor to agree to the Senate amendments. (For the appropriate motion, see page 138.) House agreement to the unanimous consent request thus signals the completion of the necessary legislative steps and the bill is readied for the President's signature.

Degrees of Amendments

Sec. XLV, Jefferson's Manual

The House Rules provide considerable negotiating room on amendments between the two Houses by allowing each House to amend the amendments of the other House. Specifically, a bill may be amended and returned to the originating House twice; further amendments are considered in the third degree and are thus out of order. For example, the Senate may amend a House amendment to a Senate amendment to a House bill, but upon return of the latter amendment of the Senate, the House must choose either to concur in or disagree to (and request a conference thereon) the Senate amendment.

At each stage of the amendment process, either House retains the option to agree to some or all of the amendments of the other House, disagree to all or part of the amendments, and request a conference with the other body. Disagreements between the two Houses may also be resolved by one House receding from its amendments. The best procedural course will evolve as negotiations proceed between the two Houses.

CONFERENCES

(Secs. XLV, XLVI, Jefferson's Manual, House Rule XXVII)

General Information

As described in the previous section, before a bill can be approved by the President, it must be passed in identical form by both Houses of Congress. The conference committee process is one method provided by the Rules for resolving the legislative differences between the two Houses.

The House and Senate managers of legislation may determine that the differences between the two Houses are extensive or controversial enough to require their resolution in a conference between the two Houses.

REQUESTING A CONFERENCE

Once legislative differences between the two Houses have been established and a determination has been made by either House to go to conference, either House may initiate the formal procedures required by the Rules to request a conference.

Several rules of thumb serve to guide the timing and sequence of actions between the two Houses; first, the House which requests the conference acts last on the conference report. Secondly, a House may act in conference only if it has custody of the "official papers" relating to the legislation, i.e., the engrossed bill, the engrossed amendments, and transmittal messages between the two Houses. For instance, the House may request a conference with the Senate only if it has possession of the official papers. While under normal circumstances the custody of the papers can be arranged according to agreed upon actions (procedures) between the two Houses, it is also true that under more controversial circumstances, the custody of the papers may be a particularly important factor throughout the conference negotiations.

The request for a conference may be made by the House making the amendments (by insisting on its amendments) or by the House in which the bill originated (by disagreeing to the amendments of the other House). The procedural avenues available by which the two Houses may enter a conference are illustrated in the case of a House bill with Senate amendments:

1. Anticipating House disagreement to the Senate amendments, the Senate may insist on its amendments and request a conference with the House. In response, the House may disagree to the amendments of the Senate and agree to the request for a conference.

2. Anticipating possible House agreement to the Senate amendments, the Senate may transmit to the House the House bill, with the Senate amendments, and request the concurrence

of the House in the Senate amendments. In response, the House may disagree to the Senate amendments and request a conference with the Senate. (The official papers are then sent back to the Senate for their response to the request for a conference.)

For samples of the appropriate motions to request or agree to a conference, see page 140.

Appointment of Conferees (Rule X, Clause 6(e))

The Speaker appoints the House conferees to a conference committee. House Rules do not require a fixed number of conferees, although the ratio of majority to minority members on a conference committee normally reflects the party ratio for the full House. House Rules further require the appointments to represent a majority of the Members who generally supported the House position and to include, to the fullest extent feasible, the principal proponents of major provisions of the House bill as passed. Normally, conference committee membership is composed of Members from the committee having jurisdiction over the legislation. The appointments, under normal circumstances, are usually based on the recommendations of the chairman of the committee, which handled the legislation. A sample letter to the Speaker recommending House conferees is on page 117.

The official appointment of conferees is usually made on the House floor immediately following approval of the motion to request or agree to a conference with the Senate. (For sample floor language, see p. 140.)

Provision also can be made for limited conferees who are appointed by the Speaker because of: (1) their successful actions during floor consideration, as for example, the adoption of an amendment, or (2) because language of the bill in conference affects the jurisdiction of a Committee which did not report the legislation.

ROBERT A. ROE, New Jersey, CHAIRMAN

GEORGE E. BROWN, Jr., California
JAMES H. SCHEUER, New York
MARILYN LLOYD, Tennessee
DOUG WALGREN, Pennsylvania
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WOLPE, Michigan
BILL NELSON, Florida
RALPH M. HALL, Texas
DAVE McCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
RICK BOUCHER, Virginia
TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
JAMES A. TRAFICANT, Jr., Ohio
LEE H. HAMILTON, Indiana
HENRY J. NOWAK, New York
CARL C. PERKINS, Kentucky
TOM McMILLEN, Maryland
DAVID E. PRICE, North Carolina
DAVID R. NAGLE, Iowa
JIMMY HAYES, Louisiana
DAVID E. SKAGGS, Colorado
JERRY F. COSTELLO, Illinois
HARRY JOHNSTON, Florida
JOHN TANNER, Tennessee
GLEN BROWDER, Alabama

SAMPLE -- LETTER RECOMMENDING CONFEREES

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6371

ROBERT S. WALKER, Pennsylvania
F. JAMES SENSENBRENNER, Jr., Wisconsin
CLAUDINE SCHNEIDER, Rhode Island
ELDON RUDD, Arizona
TOM LEWIS, Florida
DON NUSSLE, Iowa
SID MORRISON, Washington
RON PACKARD, California
ROBERT C. SMITH, New Hampshire
PAUL B. HENRY, Michigan
HARRIS W. FAWELL, Illinois
D. FRENCH SLAUGHTER, Jr., Virginia
LAMAR SMITH, Texas
JACK BUECHNER, Missouri
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SHAYS, Connecticut
DANA ROHRABACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California

HAROLD P. HAMSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID D. CLEMENT
Republican Chief of Staff

February 27, 1990

The Honorable Thomas S. Foley
Speaker
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I respectfully request that the following listed Members be considered for appointment as conferees for H.R. 3729, the National Aeronautics and Space Administration Multiyear Authorization Act of 1989.

Hon. Robert A. Roe
Hon. Bill Nelson
Hon. Tim Valentine
Hon. George E. Brown, Jr.
Hon. Marilyn Lloyd
Hon. Dan Glickman
Hon. Harold L. Volkmer
Hon. Norman Y. Mineta
Hon. Robert G. Torricelli
Hon. David R. Nagle

Hon. Robert S. Walker
Hon. F. James Sensenbrenner, Jr.
Hon. Tom Lewis
Hon. Jack Buechner
Hon. Ron Packard
Hon. D. French Slaughter
Hon. Dana Rohrabacher

Thank you for your attention to the above request.

Sincerely,

ROBERT A. ROE
Chairman

RAR:Kgm

MEETINGS OF CONFEREES

Meetings of the conferees are usually arranged by the House and Senate Committee staffs responsible for the legislation. Administrative arrangements (transcripts, reporter, etc) for setting up conference committee meetings follow those for setting up subcommittee meetings. In many cases, conference committee meetings are set up under great time restraints.

Conference meetings are frequently held on the Senate side of the Capitol, to enable Senators to hear the bells in the Senate chamber. Meetings are required to be open, unless the House determines by roll call vote of majority of those voting to close all or part of the meeting.

Formal conference committee meetings may, on occasion, be unnecessary if the staffs are able to work out a compromise which meets the approval of the conferees.

SCOPE OF THE CONFERENCE

The authority of the conferees is strictly limited to the legislative differences between the two Houses. Consequently, the conferees may not strike out or amend any identical portion of the bill that was adopted by both Houses. In addition, the conferees may not insert new matter which is not germane to the differences between the two Houses. For example, Senate revision of an authorization level contained in the House bill limits the scope of the conference to the difference between the two figures; conferees may neither decrease the lower figure, nor increase the higher figure. Sometimes the total will exceed the sum of either House, however, since the authorization differences between the two Houses are usually resolved item by item. If an authorization is contained in one House version and not the other House version, the conferees may either authorize at the level passed by the one House or at any level lower, or they have the further option of dropping the provision altogether.

Conferees are afforded greater flexibility in resolving the legislative differences if the difference is an amendment in the nature of a substitute (e.g., if the House, after passing the House bill, takes the Senate bill from the Speaker's table, strikes the Senate text and substitutes the text of the House-passed bill). In this case, the conferees may agree to a substitute which is a germane modification of the amendment in disagreement. House Rules prohibit the House conferees from agreeing to any provision if the subject matter exceeds the scope of the conference.

Unlike the House, the Senate may adopt amendments to a bill which are not germane to the subject matter of a bill (except in the case of general appropriations bills). The House Rules prohibit the House conferees from agreeing to any provision the subject matter of which exceeds the scope of the conference.

Under normal procedure, non-germane Senate amendment are reported back as amendments in disagreement for separate debate and voting pursuant to Rule XXVIII, Clause 5.

VOTING IN CONFERENCE

The House and Senate conference committee each vote as a unit, and questions are passed by majority vote. (Staff may wish to prepare roll call sheets in the event a roll call is demanded.) Final conference agreement is reached when a majority of the House conferees and a majority of the Senate conferees sign the written conference report.

RECOMMENDATIONS OF CONFEREES

If the report of the House conferees is not made within 20 calendar days after the last date of their appointment (36 hours during the last 6 days of the session) Rule XXVIII, Clause 1(b), makes in order a motion to instruct the House conferees, or to discharge them and appoint new conferees.

There are five general forms of recommendations available to the conferees, as follows:

(1) The Senate (House) recede from all (or part of) its amendments;

(2) The House (Senate) recede from its disagreement to all (or part of) the Senate (House) amendments and agree thereto;

(3) The House (Senate) recede from its disagreement to all (or part of) the Senate (House) amendments and agree thereto with an amendment or amendments;

(4) The House (Senate) recede from all (or part of) its amendments to the Senate (House) amendments; or

(5) The Conferees are unable to agree (to all or part of the amendments).

The recommendations of the conferees are incorporated in a written report, which contains the conference report and a joint explanatory statement of managers.

Conference reports are discussed in the next section of this manual, page 120.

AMENDMENTS IN DISAGREEMENT

Although in most cases the two Houses are able to reach agreement, there are occasions when the conferees are unable to agree. Conferees' inability to reach agreement may be over all, or part of, the amendments in conference.

If the conferees are unable to agree at all, the formal disagreement is reported back to each House, and the legislative process reverts back to the stage it was in prior to the request for the first conference. The two Houses are still in a state of disagreement with respect to the amendments between them; thus, the normal course is a request for a new conference and appointment of new conferees.

If the conferees disagree to a portion of the amendments between the two Houses, the procedure is somewhat different. (Note: Partial disagreement is not an option if the two Houses disagree over an amendment in the nature of a substitute; e.g., if the House amended the Senate bill by striking all after the enacting clause and substituting it with the text of the House-passed bill). In the case of partial agreement, the conferees file a conference report on those matters on which they agree, and include in the statement of man-

agers a statement that the managers are unable to agree on certain amendments. Subsequently, each House may act on the amendments in disagreement at the conclusion of consideration of the conference report. Depending on the extent of the controversy between the two Houses, the amendments may be reconciled without a conference. Or, one House may request a second conference. In either case, until all of the differences are resolved, the bill cannot be sent to the President.

The Conference Report

(Rule XVIII)

The Conference report, embodying the recommendations of the House and Senate conferees with respect to the differences between the two Houses on a piece of legislation, consists of two parts: the conference report, or the legislative language agreed to by the conferees; and the statement of managers, which explains the actions taken by the conferees.

PART I—THE CONFERENCE REPORT

The conference report reflects the legislative language agreed to by the conferees and, if passed by both Houses, supersedes the amendment(s) in disagreement between the two Houses, thus clearing the legislation for the President.

The first page of the conference report indicates the disposition of agreements between the two Houses, and introduces the legislative language agreed to by the conferees.

The two samples of the cover page of a conference report on pages 121 and 122 illustrate the basic form, from which numerous variations may occur, of conference reports. The Legislative Counsel's office provides assistance to staff in preparing the conference report.

PART II—STATEMENT OF MANAGERS

The Statement of Managers explains the actions taken by the conferees and thus forms a particularly important part of the legislative history of a law. The Statement, usually prepared by the House and Senate staff managers of the legislation, informs the Congress of the effect the amendments and recommendations in the conference report will have on the measure to which they relate. Although there is no required form for the statement of managers, explanations are normally provided for each amendment, section or title (as appropriate), and include a brief statement of the respective House and Senate provisions, followed by the agreement reached by the conferees. A sample cover page for use in preparing the statement of managers is on page 123.

SAMPLE -- CONFERENCE REPORT FORM
- AMENDMENT IN THE NATURE OF A SUBSTITUTE -

..... CONGRESS ..... *Session*	HOUSE OF REPRESENTATIVES	REPORT No. .....

Note: This is a basic form. Numerous variations may occur as a result of any conference agreement. The Office of the Legislative Counsel will assist staff in the preparation of a Conference Report.

.....—Ordered to be printed

Mr. ....., from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill / joint resolution (H.) having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

And the Senate agree to the same.

U.S. GOVERNMENT PRINTING OFFICE 84-341-h

SAMPLE -- CONFERENCE REPORT FORM
- NUMBERED AMENDMENTS -

..... CONGRESS ..... *Session*	HOUSE OF REPRESENTATIVES	REPORT No. .....

Note: This is a basic form. Numerous variations may occur as a result of any conference agreement. The Office of the Legislative Counsel will assist staff in the preparation of a Conference Report.

.....—Ordered to be printed

Mr. ....., from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill / joint resolution (H.)

having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered

That the House recede from its disagreement to the amendments of the Senate numbered

and agree to the same.

U.S. GOVERNMENT PRINTING OFFICE 77005d-b

SAMPLE -- COVER PAGE, STATEMENT OF MANAGERS

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment / amendments of the House / Senate to the bill / joint resolution ( ) submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

U.S. GOVERNMENT PRINTING OFFICE 50-000-0

SIGNATURE SHEETS

The conferees are considered to be in agreement when a majority of the House conferees and a majority of the Senate conferees have signed the report. Signature sheets are used to collect the signatures of the House and Senate conferees. Signature sheets are maintained by the Chief of Staff and Chief Counsel or their designee.

Four original signature sheets are required to accompany the conference report and statement of managers filed in the Senate, and the conference report and statement of managers filed in the House. Duplicate copies are not acceptable. Two copies are filed with the conference report and two copies with the statement of managers.

The House set (i.e., 2 copies) of signature sheets should list the House conferees on the left, Senate conferees on the right. Majority Members are listed first in roll call order, followed by the Minority Members. A sample House signature sheet is on page 125.

The Senate set (i.e., 2 copies) of signature sheets should list the Senate conferees on the left, House conferees on the right. Majority Members are listed first in roll call order, followed by the Minority Members.

Duplicate signatures are not acceptable; however, staff may sometimes have to "cut and paste" an original signature on the signature sheet.

(NOTE: When more than one committee is involved in the conference, the conferees should be listed in the order they were appointed to the conference.)

ADDITIONAL VIEWS

House practice precludes the inclusion in the conference report of additional, dissenting or Minority views, or other supplemental material, as is frequently appended to a legislative report. A Member may request unanimous consent to print his views in the Congressional Record following the printing of the Conference Report.

SAMPLE -- HOUSE SIGNATURE SHEET

H.R. 2461

Managers on the part of the **HOUSE**	*Managers on the part of the* **SENATE**
From the Committee on Science, Space, and Technology, for consideration of sections 801 and 3131 through 3138 of the Senate amendment, and modifications committed to conference:	
Mr. Roe, New Jersey	
Mrs. Lloyd, Tennessee	
Mr. Walgren, Pennsylvania	
Mr. Walker, Pennsylvania	
Mr. Boehlert, New York	

(Columns are reversed on the 2 Senate signature sheets)

Filing a Conference Report in the House

CONFERENCE REPORTING TIMETABLE

The conferees have 20 calendar days following their appointment to report their recommendations to the House. If a report has not been filed in the designated time, House Rules provide for a privileged motion to instruct the conferees or to discharge them and appoint new conferees. During the last 6 days of a session, this deadline changes to 36 hours following the appointment of the conferees.

COPIES FOR FILING

Four copies (the original + 3 copies) of the conference report and statement of managers are filed in the House. The original set includes the conference report and accompanying signature sheet, and statement of managers and accompanying signature sheets. (Additional information on the signature sheets is provided in the previous section, on page 124.)

FILING WHILE THE HOUSE IS IN SESSION

The conference report is filed on the floor of the House while the House is in session by a senior Majority Member of the House conferees. The Member seeks recognition to present the report and requests its printing in the Congressional Record, pursuant to House Rules. (The appropriate Floor language appears on page 141.)

FILING A LATE REPORT

If the conferees are unable to file the report while the House is in session, permission to file a late report must be requested on the floor of the House. The unanimous consent motion, usually made by a senior Majority Member of the conference committee, appears on page 135. Requesting permission to file late may be a good idea if there is some uncertainty as to when the House will adjourn that day.

Following House adjournment (if permission to file late has been granted), the report can be delivered by designated staff to the Tally Clerk's Office, Room HT-13 of the Capitol. The Tally Clerk should be apprised of the approximate filing time so that an employee can be available after closing time (x57347).

PRINTING IN THE CONGRESSIONAL RECORD

House Rules require the printing of conference reports and statements of managers in the Congressional Record for the day on which the report and statement were filed. This requirement is not applicable, however, during the last 6 days of a session.

The House, under the Rules, cannot proceed to consider the conference report until the third calendar day after the conference report and statement have been filed and printed in the Record.

NUMBERING AND PRINTING

After the report is filed, the Bill Clerk assigns the report a number, containing a prefix-designator which indicates the number

of the Congress (e.g., H. Rept. 102- ——). The number of the report will appear in the Congressional Record for that day.

Unlike legislative reports, there is no standard number of printed copies of conference reports provided for the use of Committee Members and staff, although the committee should receive at least 75 copies of the printed report. These copies are picked up in the House Document Room by the Legislative Clerk. Staff may wish to obtain additional copies from the House Document Room (x53874).

Floor Consideration of a Conference Report

WHEN IN ORDER

Either House may act on the conference report only when it is in possession of the official conference papers. The general procedure is for the body which requested the conference to act last; however, either House may act first if it is holding the papers. Normally, the procedure for floor consideration is decided on in advance.

In the House, the conference report may not be called up until the third day after which it has been printed in the Congressional Record. The Committee may seek to bring the report up using unanimous consent procedures when it is desired to expedite matters and there is little or no controversy. (This provision is not applicable during the last six days of a session.) In addition, copies of the report must be made available to Members for at least two hours prior to its consideration on the House floor. On rare occasions, these provisions may be waived by way of a special rule reported from the Rules Committee.

Once the above requirements have been met, the report is considered privileged business in the House and it may be called up at any time.

SCHEDULING

Floor scheduling for conference reports is rarely fixed, although staff will be apprised by the Majority Leader's office of the approximate time of the report's consideration. Notice will be made through the Chief Counsel.

WHIP ADVISORIES

Notice of the approximate time (day or week) of scheduling will also be accompanied by a request from the Majority Whip's office for a whip advisory on the conference report. An explanation of how to prepare a Whip Advisory is found on page 98 of this manual.

DEBATE ON CONFERENCE REPORT

The one-hour rule (Rule XIV, Clause 2) governs debate on a conference report, and the time is equally divided between the Majority and Minority, except that when the floor manager for the Majority and Minority are both supporters of the conference report, one-third of such debate time shall be allotted to a Member who is opposed to the report. (Rule XXVIII, Clause 2(a).) Under unusual circumstances, debate may be extended by unanimous consent or by a special rule.

A conference report must be acted on as a whole, either agreed to or disagreed to in its entirety. Amendments to a conference report are *not* in order. A majority vote is required to approve a conference report.

Appropriate motions for use by the Floor Manager of the conference report are included on page 141 of this manual.

NON-GERMANE MATTER IN A CONFERENCE REPORT

Rule XXVIII Clause 4, permits separate motions to reject any portion of a conference report originally contained in Senate amendments or Senate bills which is not germane to the House-passed version (and which the Speaker rules as nongermane to the original House version of the bill). Any such motion is subject to 40 minutes of debate equally divided between those in favor and opposed to the motion. Passage is decided by majority vote. The effect of rejection of the nongermane portion is rejection of the entire conference report.

RECOMMITTAL OF CONFERENCE REPORT TO CONFERENCE

During floor debate, House Rules provide for a motion to recommit, with or without instructions, a conference report. The motion is not in order if one House has already adopted the report, as the conferees of a House are considered discharged upon the adoption of a conference report. Therefore, once one House has adopted the conference report, the second House must either approve or disapprove the conference report.

DISPOSING OF AMENDMENTS IN DISAGREEMENT

If the conferees have reported amendments in disagreement, the amendments are considered following the adoption (or rejection) of the conference report. Amendments in disagreement may be considered en bloc by unanimous consent.

Options for resolving amendments in disagreement (except those containing non-germane matter) are the same as those before a House once one House has disagreed to the amendments of the other House and before a conference has been requested. For example, if the House disagreed to the Senate amendments to a House bill, the House (1) could request a further conference with the Senate, or (2) could recede from disagreement and concur with or without amendment. (For a more detailed discussion of amendments in disagreements, see "Reconciling the Differences Between the House and Senate, page 113.) Debate on a motion to dispose of the amendments in disagreement proceeds under the one-hour rule, with the time equally divided between the Majority and Minority.

A motion to recede and concur in a Senate amendment containing nongermane matter reported from conference in disagreement is subject to a point of order and, if sustained, is followed by a privileged motion to reject the nongermane matter, subject to the provisions of Rule XXVIII, Clause 5.

REJECTION OF A CONFERENCE REPORT

In the event a conference report is rejected by the House, the amendments (e.g., Senate amendments to House bill) are pending before the House for disposition by privileged motion to be made by the Chairman of the conference committee. Motions relating to the amendments (e.g., to concur with or without amendments) and a further conference are in order. (See also "Reconciling the Differences Between the House and Senate, page 113.) The same procedures follow in the event a conference report is ruled out or order.

ENROLLMENT

Adoption of the conference report by both Houses signals the final step of the legislative process, and the bill is sent to the enrolling clerk (of the body of the bill's origin), who prepares the bill for presentation to the President. Presidential action is the subject of the next chapter.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

GEORGE E. BROWN, JR., California, *Chairman*

JAMES H. SCHEUER, New York
MARILYN LLOYD, Tennessee
DAN GLICKMAN, Kansas
HAROLD L. VOLKMER, Missouri
HOWARD WOLPE, Michigan
RALPH M. HALL, Texas
DAVE McCURDY, Oklahoma
NORMAN Y. MINETA, California
TIM VALENTINE, North Carolina
ROBERT G. TORRICELLI, New Jersey
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TERRY L. BRUCE, Illinois
RICHARD H. STALLINGS, Idaho
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TOM McMILLEN, Maryland
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JERRY F. COSTELLO, Illinois
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TIM ROEMER, Indiana
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ROBERT S. WALKER, Pennsylvania *
F. JAMES SENSENBRENNER, JR., Wisconsin
SHERWOOD L. BOEHLERT, New York
TOM LEWIS, Florida
DON RITTER, Pennsylvania
SID MORRISON, Washington
RON PACKARD, California
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HARRIS W. FAWELL, Illinois
D. FRENCH SLAUGHTER, JR., Virginia
LAMAR SMITH, Texas
CONSTANCE A. MORELLA, Maryland
DANA ROHRABACHER, California
STEVEN H. SCHIFF, New Mexico
TOM CAMPBELL, California
JOHN J. RHODES III, Arizona
JOE BARTON, Texas
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WAYNE T. GILCHREST, Maryland

RADFORD BYERLY, *Chief of Staff*
MICHAEL RODEMEYER, *Chief Counsel*
CAROLYN GREENFELD, *Chief Clerk*
DAVID D. CLEMENT, *Republican Chief of Staff*

---

*Ranking Republican Member.

PRESIDENTIAL ACTION

The President, as provided in the Constitution, has ten days (excluding Sundays and the day on which the bill is presented to the President) in which to approve a bill. The ten-day period begins after the original enrolled bill, signed by the Speaker of the House and the President of the Senate, has been delivered to the White House by a staff member of the House Administration Committee or the Secretary of the Senate.

Approval

Presidential approval of a bill is accomplished in one of two ways:

—The President may sign the bill within the 10-day period.

—The President may take no action on the bill within the 10-day period.

Notice of Presidential approval appears in the Congressional Record, along with the number of the public law.

PRINTING OF PUBLIC LAWS

Each public law is printed separately by the General Services Administration. The printed "slip law" reflects the public law number, the bill number, date of approval, a brief legislative history of the law, and marginal editorial notes giving citations to laws and U.S. Code classifications. A copy of a slip law appears on page 133.

Printed copies should be available 4–6 weeks following Presidential approval. The committee's copies are obtained from the Document Room by the Legislative Clerk. Staff may wish to order additional copies from the Document Room (x53874).

Public and private laws are permanently bound in the U.S. Statutes at Large, available in the Rayburn Reference Center.

Disapproval

POCKET VETO

The President may disapprove a will without sending his objections to the Congress. This action, called a "pocket veto", occurs if the President takes no action on the bill within the 10-day period, and the Congress prevents the bill's return by adjourning prior to the expiration of the 10-day period.

FORMAL VETO

The President may formally veto a bill by returning the bill with his objections to the House in which the bill originated. Veto messages appear in the Congressional Record for the day on which such message was received.

VETO OVERRIDE

Upon receipt of the veto message, it is in order to act immediately to "override" the veto. In both Houses, a two-thirds vote of those present and voting, a quorum being present, is required to pass a bill over the President's veto. A bill vetoed is dead unless passed by two-thirds vote in both Houses.

If the House does not consider the veto message immediately, motions in order are (1) to lay on the table, (2) to refer (the committee may report back only on the advisability of passing by two-thirds vote), and (3) to postpone to a certain day.

FUTURE LEGISLATIVE ALTERNATIVES

If the veto holds, a new bill may be introduced, minus the objectionable provision(s), and passed through the normal legislative process.

There may also exist the option of resurrecting a counterpart bill which might have been laid on the desk earlier on in the legislative process and was at that time superseded by the other House version.

SAMPLE -- SLIP LAW

Public Law 100-476
100th Congress

An Act

Oct. 6, 1988
[H.R. 4419]

To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216) is amended by adding at the end the following new subsection:

"(g)(1) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

"(A) $17,039,000 for the fiscal year ending September 30, 1989;

"(B) $17,737,000 for the fiscal year ending September 30, 1990; and

"(C) $18,464,000 for the fiscal year ending September 30, 1991.

"(2) Of the amounts referred to in paragraph (1), not more than $4,150,000 is authorized to be appropriated for each fiscal year for National Emergency Training Center site administration.".

Safety.
Deaf persons.

SEC. 2. (a) The Administrator of the United States Fire Administration shall conduct a study concerning the quality, availability, and degree of use of fire prevention systems for the hearing impaired population. In particular such study shall—

(1) evaluate the quality of equipment for the hearing impaired;

(2) assess the extent, adequacy, and status of research on ways to improve the quality of such equipment;

(3) evaluate the availability of such equipment and the extent to which it is being used in houses, apartments, hotels, and public buildings; and

(4) determine the degree to which such equipment is required by States and model codes.

Reports.

(b) The Administrator shall, not later than January 1, 1989, complete such study and transmit to the Congress a report on the results of the study, together with recommendations on how fire alarm and detection systems for the hearing impaired can be improved and how the use of such systems can be encouraged, including the appropriate Federal role in doing so.

Approved October 6, 1988.

LEGISLATIVE HISTORY—H.R. 4419:

HOUSE REPORTS: No. 100-589 (Comm. on Science, Space, and Technology).
SENATE REPORTS: No. 100-435 (Comm. on Commerce, Science, and Transportation).
CONGRESSIONAL RECORD, Vol. 134 (1988):
May 24, considered and passed House.
Aug. 10, considered and passed Senate, amended.
Sept. 26, House concurred in Senate amendment.

FLOOR LANGUAGE

Much can be learned in practice about floor language in use in the House of Representatives by reading the Congressional Record. Some of the more common procedural language and forms and the legislative conditions to which they relate are displayed in this section, as follows:

—Floor action under one hour, open rule
—Suspension of rules
—Dealing with Senate passed bills
—House bills with Senate amendments
—Senate bills with House amendments
—Conference
—Floor debate—conference report
—Miscellany.

*SAMPLE -- FLOOR LANGUAGE - FLOOR CONSIDERATION UNDER ONE-HOUR, OPEN RULE**

FLOOR MOTION FOR H.R. 1759
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION MULTIYEAR AUTHORIZATION

(THE RULE PROVIDES THAT THE SPEAKER MAY DECLARE THE HOUSE RESOLVED INTO THE COMMITTEE OF THE WHOLE.)

(THE RULE ALSO PROVIDES THAT THE AMENDMENT IN THE NATURE OF A SUBSTITUTE SHALL BE IN ORDER, AND EACH SECTION SHALL BE CONSIDERED FOR AMENDMENT AS HAVING BEEN READ. CHAIR RECOGNIZES MR. ROE FOR 30 MINUTES, AND MR. WALKER FOR 30 MINUTES.)

TO BEGIN GENERAL DEBATE	"MR. CHAIRMAN, I YIELD MYSELF AS MUCH TIME AS I MAY CONSUME."

*****

(WHERE THERE ARE NO MORE REQUESTS FOR TIME...)

TO END GENERAL DEBATE	"MR. CHAIRMAN, I HAVE NO FURTHER REQUESTS FOR TIME, AND YIELD BACK THE BALANCE OF MY TIME."

(THE CLERK DESIGNATES THE FIRST TITLE. DURING THE READING...)

TO OPEN BILL FOR AMENDMENT	"MR. CHAIRMAN, I ASK UNANIMOUS CONSENT THAT THE REMAINDER OF THE BILL BE CONSIDERED AS READ, PRINTED IN THE RECORD, AND OPEN FOR AMENDMENT AT ANY POINT."

*****

(WHEN ALL AMENDMENTS HAVE BEEN CONSIDERED, THE RULE PROVIDES THAT THE COMMITTEE WILL RISE AND REPORT. THE PREVIOUS QUESTION IS CONSIDERED AS ORDERED ON THE BILL AND ALL AMENDMENTS, IF NO SEPARATE VOTE IS DEMANDED.)

*****

(VOTE ON FINAL PASSAGE)

IMMEDIATELY AFTER THE VOTE IS ANNOUNCED ON FINAL PASSAGE

TO ALLOW ALL TO REVISE AND EXTEND	"MR. SPEAKER, I ASK UNANIMOUS CONSENT THAT ALL MEMBERS HAVE FIVE LEGISLATIVE DAYS DURING WHICH TO REVISE AND EXTEND THEIR REMARKS ON THE BILL H.R. 1759 AND TO INCLUDE EXTRANEOUS MATTER."

*Staff should review the Rule on the bill to determine which floor actions will be automatic under the Rule, and which will require specific actions by the Floor Manager.

SAMPLE -- FLOOR LANGUAGE - SUSPENSION OF RULES

SUSPENSION OF RULES

H.R. 2365, THE AIRPORT SECURITY TECHNOLOGY AND RESEARCH ACT OF 1989

MR. ROE	*"MR. SPEAKER,, I MOVE TO SUSPEND THE RULES AND PASS THE BILL, H.R. 2365,'THE AIRPORT SECURITY TECHNOLOGY AND RESEARCH ACT OF 1989,' WHICH WAS REPORTED BY THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY WITH AN AMENDMENT."*
THE SPEAKER PRO TEMPORE	*"IS A SECOND DEMANDED?"*
THE SPEAKER PRO TEMPORE	*"THE GENTLEMAN FROM NEW JERSEY WILL BE RECOGNIZED FOR 20 MINUTES AND THE GENTLEMAN FROM PENNSYLVANIA WILL BE RECOGNIZED FOR 20 MINUTES."*
MR. ROE	*"MR. SPEAKER, I ASK UNANIMOUS CONSENT THAT ALL MEMBERS MAY HAVE 5 LEGISLATIVE DAYS IN WHICH TO REVISE AND EXTEND THEIR REMARKS ON H.R. 2365."*

NOTE: A second is demanded when a bill will be amended under suspension of the Rules; or when a printed copy of the bill and/or report have not been available to Members prior to consideration of the measure under suspension of the Rules.

MOTION:

THE SPEAKER PRO TEMPORE	*IS A SECOND DEMANDED?*
RANKING REPUBLICAN MEMBER	*MR. SPEAKER, I DEMAND A SECOND.*

SAMPLE -- FLOOR LANGUAGE - DEALING WITH SENATE-PASSED BILLS

<u>To Call Up A Senate Bill</u> (pursuant to the Rule on the bill)

FLOOR MANAGER — *"Mr. Speaker, pursuant to the provisions of House Resolution ___, I call up from the Speaker's table the Senate bill, S. _____, to (title of bill), and ask for its immediate consideration."*

OR

<u>To Call Up A Bill</u> (by unanimous consent)

FLOOR MANAGER — *"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill, S. _____, to (title of bill), and ask for its immediate consideration."*

(no objection)

(The Clerk reads the bill)

FLOOR MANAGER
(after the reading of the bill) — *"Mr. Speaker, I offer a motion."*

THE CLERK — *"(Mr. Roe) moves to strike all after the enacting clause of the Senate bill, S. _____, and to insert in lieu thereof the provisions of H.R. _____, as passed by the House."*

SAMPLE -- FLOOR LANGUAGE - HOUSE BILLS WITH SENATE AMENDMENTS

Agreeing to Senate Amendments

COMMITTEE CHAIRMAN (or designee)	*"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. _____, to (title of bill), with a Senate amendment(s) thereto, and concur in the Senate amendment(s)."*

Agreeing to Senate Amendment with an Amendment

COMMITTEE CHAIRMAN (or designee)	*"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. _____, to (title of bill), with a Senate amendment(s) thereto, and concur in the Senate amendment(s) with an amendment."*

Disagreeing to one Senate Amendment with Concurrence in other Senate Amendments

COMMITTEE CHAIRMAN (or designee)	*"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H.R. _____. to (title of bill), with Senate amendments thereto, concur in Senate amendments numbers (x,y,z), and disagree to Senate amendment number (xx)."*

Note: the above unanimous consent requests do not cover every eventuality, but are intended to highlight the range of procedural options in dealing with amendments between the two Houses. Staff is advised to consult with the House Parliamentarian regarding the appropriate procedures and language.

SAMPLE -- FLOOR LANGUAGE - SENATE BILLS WITH HOUSE AMENDMENTS

Agreeing to Senate Amendments to House Amendments

***COMMITTEE CHAIRMAN** (or designee)* — *"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill, S. _____, to (title of bill), with Senate amendments to the House amendments, and concur in the Senate amendments to the House amendments."*

Agreeing to Senate Amendment to House Amendments with an Amendment

***COMMITTEE CHAIRMAN** (or designee)* — *"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill S. _____, to (title of bill), with a Senate amendment to the House amendment, and concur in the Senate amendment to the House amendment with an amendment."*

Receding from Certain House Amendments
(following message from Senate disagreeing to certain House amendments)

***COMMITTEE CHAIRMAN** (or designee)* — *"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, S. _____. to (title of bill), with Senate amendments to the House amendments, to recede from House amendments numbers (x,y,z), and concur in Senate amendments numbers (x,y,z)."*

***Note:** the above unanimous consent requests do not cover every eventuality, but are intended to highlight the range of procedural options in dealing with amendments between the two Houses. Staff is advised to consult with the House Parliamentarian regarding the appropriate procedures and language.*

SAMPLE -- FLOOR LANGUAGE - CONFERENCE

Request for Conference

FLOOR MANAGER (to request conference with Senate on bill originating in House and amended in Senate)	*"Mr. Speaker, I ask unanimous consent to take from the Speaker's table a bill, H.R. _____, to (title), with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon."*
FLOOR MANAGER (to request conference when House has reasonable assurance Senate will not accept House amendments)	*"Mr. Speaker, I ask unanimous consent that the House insists upon its amendments to the bill, S. _____, to (title of bill), and request a conference with the Senate."*

Agreeing to Senate Request for Conference

FLOOR MANAGER	*"Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, S. _____, to (title of bill), with the House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate."*

Filing a Conference Report (anytime)

FLOOR MANAGER	*"Mr. Speaker, I present a conference report on the bill, H.R. _____, to (title of bill), for printing under the" Rule.*

Permission to File a Conference Report
(if report is to be filed after House adjourns)

FLOOR MANAGER	*"Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill, H.R. _____, to (title of bill)."*

SAMPLE -- FLOOR LANGUAGE - CONFERENCE REPORT

FLOOR DEBATE ON CONFERENCE REPORT

FLOOR MANAGER	*"MR. SPEAKER, I CALL UP THE CONFERENCE REPORT ON THE BILL, H.R. _____, TO (TITLE OF BILL), AND ASK FOR ITS IMMEDIATE CONSIDERATION."*

(THE CLERK READS THE TITLE OF THE BILL)

FLOOR MANAGER	*"MR. SPEAKER, I ASK UNANIMOUS CONSENT THAT THE STATEMENT OF THE MANAGERS BE READ IN LIEU OF THE REPORT."*
	(NO OBJECTION)

(THE CLERK READS THE STATEMENT)

FLOOR MANAGER	*"MR. SPEAKER, I ASK UNANIMOUS CONSENT TO DISPENSE WITH FURTHER READING OF THE STATEMENT."*
	(NO OBJECTION)
THE SPEAKER	*"THE GENTLEMAN FROM (NEW JERSEY) IS RECOGNIZED FOR 30 MINUTES, AND THE GENTLEMAN FROM (PENNSYLVANIA) IS RECOGNIZED FOR 30 MINUTES."*
FLOOR MANAGER	*"I YIELD MYSELF SUCH TIME AS I MAY CONSUME."*
FLOOR MANAGER	*"MR. SPEAKER, I MOVE THE PREVIOUS QUESTION ON THE CONFERENCE REPORT."*

(AT CONCLUSION OF DEBATE)

THE SPEAKER	*"THE QUESTION IS ON THE CONFERENCE REPORT."*

SAMPLE — FLOOR LANGUAGE — MISCELLANY

Permission to Sit

MAJORITY COMMITTEE MEMBER

"Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology (or, the Subcommittee on Space Science and Applications) be permitted to sit today while the House is in Session."

Permission to File a Late Report

MAJORITY COMMITTEE MEMBER

"Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology have until eight o'clock tonight (or other day) to file a late report."

Correction of Erroneous Bill Referral

COMMITTEE CHAIRMAN

"Mr. Speaker, I ask unanimous consent that the Committee on Science, Space, and Technology be discharged from the further consideration of the bill, H.R._____, to (title of bill), and that the bill be referred to the Committee on _____."

Correction of Vote or of Record

MEMBER

"Mr Speaker, during debate on H.R._____, I misquoted_____ (or was misquoted). I ask unanimous consent to correct this error."

Removal of Name of Member from List of Cosponsors

MEMBER

"Mr. Speaker, I ask unanimous consent that my name be removed from the list of cosponsors of H.R._____."

THE SPEAKER

"Is there objection to the request of the gentleman from New Jersey?"

(no objection)

APPENDIX I - COMMITTEE RULES GOVERNING PROCEDURE

[COMMITTEE PRINT]

RULES GOVERNING PROCEDURE

OF THE

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

U.S. HOUSE OF REPRESENTATIVES

102D CONGRESS

Printed for the use of the Committee on Science, Space, and Technology

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GENERAL

1. The Rules of the House of Representatives, as applicable, shall govern the committee and its subcommittees. The rules of the committee, as applicable, shall be the rules of its subcommittees except that a motion to recess from day to day and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in the committee.

COMMITTEE MEETINGS

Time and Place

2. Unless dispensed with by the Chairman, the meetings of the committee shall be held on the 2nd and 4th Wednesday of each month the House is in session at 10:00 a.m. and at such other times and in such places as the Chairman may designate.

3. The Chairman of the committee may convene as necessary additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business.

*4. The committee shall make public announcement of the date, time, place and subject matter of any of its hearings at least one week before the commencement of the hearing. If the Chairman determines that there is good cause to begin the hearing sooner, he shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest, and promptly entered into the scheduleing service of the House Information Systems.

*5. The committee may sit while the House is reading a measure for amendment under the 5-minute rule, provided 10 or more Members on the House floor do not object when special leave for such committee or subcommittee to sit is requested.

Vice Chairman to Preside in Absence of Chairman

*6. The Member of the majority party on the Committee ranking immediately after the Chairman shall be the Vice Chairman of the Committee and shall preside at any meeting during the temporary absence of the Chairman. If the Chairman and Vice Chairman of the committee are not present at any meeting of the committee, the ranking Member of the majority party on the committee who is present shall preside.

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* Indicates rules applicable to subcommittees.

Order of Business

*7. The order of business and procedure of the committee and the subjects of inquiries or investigations will be decided by the Chairman, subject always to an appeal to the committee.

Membership

8. A majority of the majority Members of the committee shall determine an appropriate ratio of majority to minority Members for each subcommittee and shall authorize the Chairman to negotiate that ratio with the minority party; *Provided, however,* that party representation on each subcommittee (including any ex-officio Members) shall be no less favorable to the majority party than the ratio for the full committee. *Provided, further,* that recommendations of conferees to the Speaker shall provide a ratio of majority party Members to minority party Members which shall be no less favorable to the majority party than the ratio for the full committee.

Special Meetings

9. Rule XI 2(c)(2) of the Rules of the House of Representatives is hereby incorporated by reference (Special Meetings).

COMMITTEE PROCEDURES

Quorum

*10. One-third of the Members of the committee shall constitute a quorum for all purposes except that a majority must be present in order to: (1) report or table any legislation, measure or matter; (2) close committee meetings or hearings; or (3) authorize the issuance of subpoenas.

*11. The number of Members to constitute a quorum for taking testimony and receiving evidence shall not be less than two and, unless waived by the Chairman of the full committee after consultation with the Ranking Republican Member of the full committee, shall include at least one member from each of the majority and minority parties.

Proxies

*12. Any Member may authorize a vote by proxy with respect to any measure or matter before the committee. Such proxy authorization shall be in writing, shall assert that the Member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy only for motions to recess, adjourn, or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his or her vote, filed with the committee clerk, and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

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* Indicates rules applicable to subcommittees.

Witnesses

*13. The committee shall, insofar as is practicable, require each witness who is to appear before it to file with the committee (in advance of his or her appearance) a written statement of the proposed testimony and to limit the oral presentation to a five-minute summary of his or her statement, provided that additional time may be granted by the Chairman when appropriate.

*14. Whenever any hearing is conducted by the committee on any measure or matter, the minority Members of the committee shall be entitled, upon request to the Chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

Investigative Hearing Procedures

*15. Rule XI 2(k) of the Rules of the House of Representatives is hereby incorporated by reference (rights of witnesses under subpoena).

Subject Matter

*16. Bills and other substantive matters may be taken up for hearing only when called by the Chairman of the committee or by a majority vote of a quorum of the committee, except those matters which are the subject of special-call meetings outlined in Rule 9.

*17. No private bill will be reported by the committee if there are two or more dissenting votes. Private bills so rejected by the committee will not be reconsidered during the same Congress unless new evidence sufficient to justify a new hearing has been presented to the committee.

*18. (a) It shall not be in order for the committee to consider any new or original measure or matter unless written notice of the date, place and subject matter of consideration and to the extent practicable, a written copy of the measure or matter to be considered, has been available in the office of each Member of the committee for at least three calendar days in advance of consideration, excluding Saturdays, Sundays and legal holidays.

(b) Notwithstanding the foregoing sections of this rule, consideration of any legislative measure or matter by the committee shall be in order by vote of two-thirds of the Members present, provided that a majority of the committee is present.

Open Meetings

*19. Each meeting for the transaction of business, including the markup of legislation, of the committee shall be open to the public except when the committee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public. No person other than Members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open

* Indicates rules applicable to subcommittees.

committee hearings which are provided for by Rule 20 contained herein, or to any meeting that relates solely to internal budget or personnel matters.

*20. Each hearing conducted by the committee shall be open to the public except when the committee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, and Rule 10, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony:

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Rule XI 2(k)(5) of the Rules of the House of Representatives; or

(B) may vote to close the hearing, as provided in Rule XI 2(k)(5) of the Rules of the House of Representatives. No Member may be excluded from nonparticipatory attendance at any hearing of any committee or subcommittee, unless the House of Representatives shall by majority vote authorize a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subparagraph for closing hearings to the public: *Provided, however,* that the committee or subcommittee may by the same procedure vote to close one subsequent day of hearing.

Requests for Rollcall Votes

21. A rollcall vote of the Members may be had at the request of three or more Members.

Committee Records

*22(a). The committee shall keep a complete record of all committee action which shall include a record of the votes on any question on which a rollcall vote is demanded. The result of each rollcall vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion order or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order or proposition, and the names of those Members present but not voting.

(b) The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the Rules of the House of Representatives. The Chairman shall notify the ranking minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of

* Indicates rules applicable to subcommittees.

the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any Member of the committee.

Publication of Committee Hearings and Mark-Ups

*23. The transcripts of those hearings conducted by the committee which are decided to be printed will be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate.

Any requests by those Members, staff or witnesses to correct any errors, other than errors in transcription, or disputed errors in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted.

Prior to approval by the Chairman of hearings conducted jointly with another Congressional committee, a memorandum of understanding will be prepared which incorporates an agreement for the publication of the verbatim transcript.

Transcripts of mark-ups shall be recorded and published in the same manner as hearings before the committee.

Opening Statements; 5-Minute Rule

*24. Insofar as is practicable, the Chairman, after consultation with the Ranking Republican Member, shall limit the total time of opening statements by Members to no more than 20 minutes, the time to be divided equally among Members present desiring to make an opening statement. The time any one Member may address the committee on any bill, motion or other matter under consideration by the committee or the time allowed for the questioning of a witness at hearings before the committee will be limited to five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be waived by the Chairman or acting Chairman. The rule of germaneness will be enforced by the Chairman.

Requests for Written Motions

*25. Any legislative or non-procedural motion made at a regular or special meeting of the committee and which is entertained by the Chairman shall be presented in writing upon the demand of any Member present and a copy made available to each Member present.

SUBCOMMITTEES

Structure and Jurisdiction

26. The committee shall have the following standing subcommittees with the jurisdiction indicated.

(a) ***Subcommittee on Investigations and Oversight.***—Review and study, on a continuing basis, of the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the committee and the organization and operation of the Federal and private agencies and entities having responsibilities in or for the administration and

*Indicates rules applicable to subcommittees.

execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress. In addition, the Subcommittee on Investigations and Oversight and the appropriate subcommittee with legislative authority may cooperatively review and study any conditions or circumstances which indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the committee, and may undertake futures research and forecasting on matters within the jurisdiction of the committee. The Subcommittee on Investigations and Oversight shall in no way limit the responsibility of other subcommittees from carrying out their oversight responsibilities, nor shall any investigation be undertaken by the Subcommittee on Investigations and Oversight without (a) consultation with the Chairman of the appropriate subcommittee with legislative authority and (b) approval of the Chairman of the committee.

(b) ***Subcommittee on Environment.***—Legislation, general and special oversight and all other matters relating to natural resources and environmental research, development and demonstration (RD&D), including RD&D activities of the Environmental Protection Agency; energy RD&D programs relating to energy conservation, solar, renewable and other non-fossil and non-nuclear energy sources; transportation programs of the Department of Energy; operational activities and RD&D related to weather, aviation weather services, climate, and the atmosphere; those ocean RD&D activities of the National Oceanic and Atmospheric Administration related to the quality and management of the environment; operations of earth observing systems; international environmental RD&D including global climate research; and, to the extent appropriate, agriculture research, environmental health, safety, life sciences, pharmaceutical, medical, and biotechnology activities of Executive departments and agencies.

(c) ***Subcommittee on Energy.***—Legislation, general and special oversight and all other matters relating to RD&D, and projects therefor, involving fossil fuels, nuclear fission and the nuclear fuel cycle; nuclear fusion; all federally owned or operated nonmilitary energy laboratories, basis energy sciences; high energy and nuclear physics; advanced energy technology; and uranium enrichment and waste management activities, as appropriate.

(d) ***Subcommittee on Science.***—Legislation, general and special oversight of science policy, the role of basic research in economic competitiveness, and all other matters relating to the National Science Foundation; science and research matters in the Office of Science and Technology Policy and the Office of Technology Assessment; scientific research, development, and applications; scientific and engineering resources (including manpower); math, science and engineering education; international scientific cooperation; computer science, engineering, networks, and data bases; RD&D relating to government health, nutritional, handicapped, earthquake, and fire programs; intergovernmental mechanisms for RD&D; geographic distribution of Federal RD&D; university research policy, including infrastructure, overhead, and partnerships; and the effect of tax policy on research.

(e) ***Subcommittee on Technology and Competitiveness.***—Legislation, general and special oversight and all other matters relating to the Technology Administration in the Department of Commerce, including the National Institute of Standards and Technology and the National Technical Information Service: technology policy; technology matters in the Office of Science and Technology Policy; technology assessment, including the Office of Technology Assessment; technology transfer; innovation and industrial RD&D; productivity and competitiveness, including small business competitiveness; patent and intellectual property policy; international technology, trade and competitiveness; technology resources (including manpower); standards and standardization of measurement; tax, antitrust and other governmental policies as they relate to technological development, commercialization, and competitiveness; civil aviation RD&D, including aeronautical research and technology programs of the National Aeronautics and Space Administration and research and development programs of the Federal Aviation Administration; materials RD&D and policy; oversight of surface transportation RD&D programs of Executive departments and agencies; and computer, communications, and information technology, and infrastructure, as appropriate.

(f) ***Subcommittee on Space.***—Legislation, general and special oversight and all other matters relating to the National Aeronautics and Space Administration (except aeronautical research and technology); space commercialization, including the commercial space activities relating to the Department of Transportation and the Department of Commerce; outer space, including exploration and control thereof; the National Space Council; space applications, space communications and related matters; and research and development of earth observing systems.

Referral of Legislation

27. All legislation and other matters referred to the committee shall be referred to all subcommittees of appropriate jurisdiction within two weeks unless, by a majority vote of the majority Members of the full committee, consideration is to be by the full committee. Subcommittee chairmen may make requests for referral of specific matters to their subcommittee within the two week period if they believe subcommittee jurisdictions so warrant.

Ex Officio Members

28. The Chairman and ranking minority Member shall serve as ex officio Members of all subcommittees and shall have the right to vote and be counted as part of the quorum on all matters before the subcommittee.

Procedures

29. No subcommittee shall meet for markup or approval when any other subcommittee of the committee is meeting to consider any measure or matter for markup or approval.

30. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the committee on all matters referred to it. Each subcommittee shall conduct legislative and general oversight, inquiries for the future and forecasting, and budget impact

studies on matters within their respective jurisdictions. Subcommittee chairmen shall set meeting dates after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible.

31. Any Member of the committee may have the privilege of sitting with any subcommittee during its hearings or deliberations and may participate in such hearings or deliberations, but no such Member who is not a member of the subcommittee shall vote on any matter before such subcommittee, except as provided in Rule 28.

32. During any subcommittee proceeding for markup or approval, a rollcall vote may be had at the request of one or more Members of that subcommittee.

Power to Sit and Act; Subpoena Power

*33. Rule XI 2(m) of the Rules of the House of Representatives is hereby incorporated by reference (power to sit and act; subpoena power).

National Security Information

*34. All national security information bearing a classification of secret or higher which has been received by the committee or a subcommittee shall be deemed to have received in Executive Session and shall be given appropriate safekeeping. The Chairman of the full committee may establish such regulations and procedures as in his judgment are necessary to safeguard classified information under the control of the committee. Such procedures shall, however, ensure access to this information by any Member of the committee, or any other Member of the House of Representatives who has requested the opportunity to review such material.

Sensitive or Confidential Information Received Pursuant to Subpoena

*35. Unless otherwise determined by the committee or subcommittee, certain information received by the committee or subcommittee pursuant to a subpoena not made part of the record at an open hearing shall be deemed to have been received in Executive Session when the Chairman of the full committee, in his judgment, deems that in view of all the circumstances, such as the sensitivity of the information or the confidential nature of the information, such action is appropriate.

REPORTS

Substance of Legislative Reports

36. The report of the committee on a measure which has been approved by the committee shall include the following, to be provided by the committee:

(A) the oversight findings and recommendations required pursuant to Rule X 2(b)(1) of the Rules of the House of Representatives, separately set out and identified [Rule XI 2(l)(3)(A)]:

* Indicates rules applicable to subcommittees.

(B) the statement required by section 308(a) of the Congressional Budget Act of 1974, separately set out and identified, if the measure provides new budget authority or new or increased tax expenditures [Rule XI 2(1)(3)(B)];

(C) a detailed, analytical statement as to whether that enactment of such bill or joint resolution into law may have an inflationary impact on the national economy [Rule XI 2(1)(4)];

(D) with respect to each rollcall vote on a motion to report such a bill or resolution, the total number of votes cast for and the total number of votes cast against the reporting of such bill or resolution, [Rule XI 2(1)(2)(B)];

(E) the estimate and comparison prepared by the committee under Rule XIII 7(a) of the Rules of the House of Representatives, unless the estimate and comparison prepared by the Director of the Congressional Budget Office prepared under subdivision (B) of Rule 36 has been timely submitted prior to the filing of the report and included in the report [Rule XIII 7]; and

(F) in the case of a bill or joint resolution which repeals or amends any statute or part thereof, the text of the statute or part thereof which is proposed to be repealed, and a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, [Rule XIII 3].

37. (a) The report of the committee on a measure which has been approved by the committee shall further include the following, to be provided by sources other than the committee:

(A) the estimate and comparison prepared by the Director of the Congressional Budget Office required under section 403 of the Congressional Budget Act of 1974, separately set out and identified, whenever the Director (if timely, and submitted prior to the filing of the report) has submitted such estimate and comparison of the committee, [Rule XI 2(1)(3)(C);

(B) a summary of the oversight findings and recommendations made by the Committee on Government Operations under Rule X 2(b)(2) of the Rules of the House of Representatives, separately set out and identified, [Rule XI 2(1)(3)(D)].

(b) Notwithstanding the foregoing sections of this rule, if the committee has not received prior to the filing of the report the material required under subdivisions (A) and (B) of this rule, then it shall include a statement to that effect in the report on the measure.

Minority and Additional Views

38. If, at the time of approval of any measure or matter by the committee, any Member of the committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that Member, with the clerk of the committee. All such views so filed by one or more Members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be

printed in a single volume which shall include all supplemental, minority, or additional views, which have been submitted by the time of the filing of the report, and shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (A) and (B) of Rule 37) are included as part of the report. However, this rule does not preclude (1) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph or (2) the filing by the committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

39. The Chairman of the committee or subcommittee, as appropriate, shall advise Members of the day and hour when the time for submitting views relative to any given report elapses. No supplemental, minority, or additional views shall be accepted for inclusion in the report if submitted after the announced time has elapsed unless the Chairman of the committee or subcommittee, as appropriate decides to extend the time for submission of views beyond 3 days, in which case he shall communicate such fact to Members, including the revised day and hour for submissions to be received, without delay.

Consideration of Subcommittee Reports

40. Reports and recommendations of a subcommittee shall not be considered by the full committee until after the intervention of three calendar days, excluding Saturdays, Sundays and legal holidays, from the time the report is submitted and printed hearings thereon shall be made available, if feasible, to the Members, except that this rule may be waived at the discretion of the Chairman.

Timing and Filing of Committee Reports

41. It shall be the duty of the Chairman to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken the necessary steps to bring the matter to a vote.

42. The report of the committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by the majority of the Members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the Chairman of the committee notice of the filing of that request.

43. Any committee or subcommittee report published by the committee shall follow the same procedures for its approval, including the opportunity to submit views, as is followed in the case of a report accompanying a bill or resolution which has been approved by the committee.

MEDIA COVERAGE

*44. The committee may permit, by majority vote, hearings or meetings which are open to the public to be covered in whole or in

part by television, radio and still photography—or by any such methods of coverage—in accordance with Rule XI (3) of the Rules of the House of Representatives; *provided,* that the Chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room.

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* Indicates rules applicable to subcommittees.

LEGISLATIVE AND OVERSIGHT JURISDICTION OF THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

"RULE X. ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

"The Committees and Their Jurisdiction.

"1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

* * * * * * *

(r) Committee on Science, Space, and Technology.

(1) Astronautical research and development, including resources, personnel, equipment, and facilities.

(2) Bureau of Standards, standardization of weights and measures and the metric system.

(3) National Aeronautics and Space Administration

(4) National Aeronautics and Space Council.

(5) National Science Foundation.

(6) Outer space, including exploration and control thereof.

(7) Science Scholarships.

(8) Scientific research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

(9) Civil aviation research and development.

(10) Environmental research and development.

(11) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

(12) National Weather Service.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(f) with respect to all nonmilitary research and development.

* * * * * * *

"SPECIAL OVERSIGHT FUNCTIONS

"3. (f) The Committee on Science, Space, and Technology shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving nonmilitary research and development."

RULES

of the

HOUSE OF REPRESENTATIVES

EFFECTIVE FOR

ONE HUNDRED SECOND CONGRESS

PREPARED BY

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Clerk of the House of Representatives

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RULES OF THE HOUSE OF REPRESENTATIVES

ONE HUNDRED SECOND CONGRESS

RULE I

DUTIES OF THE SPEAKER

1. The Speaker shall take the Chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting and immediately call the Members to order. The Speaker, having examined the Journal of the proceedings of the last day's sitting and approved the same, shall announce to the House his approval of the Journal, and the Speaker's approval of the Journal shall be deemed to be agreed to subject to a vote on agreeing to the Speaker's approval on the demand of any Member, which vote, if decided in the affirmative, shall not be subject to a motion to reconsider. It shall be in order to offer one motion that the Journal be read only if the Speaker's approval of the Journal is not agreed to, and such motion shall be determined without debate and shall not be subject to a motion to reconsider.

2. He shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by rule or law, of the Hall of the House, and of the corridors and passages and the disposal of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further order.

4. He shall sign all acts, addresses, joint resolutions, writs, warrants, and subpoenas of, or issued by order of, the House and decide all questions of order, subject to an appeal by any Member, on which appeal no Member shall speak more than once, unless by permission of the House. The Speaker is authorized to sign enrolled bills whether or not the House is in session.

5. (a) He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be), say 'Aye'."; and after the affirmative voice is expressed, "As many as are opposed, say 'No'."; if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one or more from each side of the question to tell the Members in the affirmative and negative; which being reported, he shall rise and state the decision. However, if any Member requests a recorded vote and that request is supported by at least one-fifth of a quorum, such vote shall be taken by electronic device, unless the Speaker in his discretion orders clerks to tell the names of those voting on each side of the question, and such names shall be recorded by electronic device or by clerks, as the case may be, and shall be entered in the Journal together with the names of those not voting. Members shall have not less than fifteen minutes to be counted from the ordering of the recorded vote or the ordering of clerks to tell the vote.

(b)(1) On any legislative day whenever a recorded vote is ordered or the yeas and nays are ordered, or a vote is objected to under clause 4 of Rule XV on any of the following questions, the Speaker may, in his discretion, postpone further proceedings on each such question to a designated time or place in the legislative schedule on that legislative day in the case of the question of agreeing to the Speaker's approval of the Journal, or within two legislative days, in the case of the other questions listed herein:

(A) the question of passing bills;

(B) the question of adopting resolutions;

(C) the question of ordering the previous question on privileged resolutions reported from the Committee on Rules;

(D) the question of agreeing to conference reports;

(E) the question of agreeing to motions to suspend the Rules; and

(F) the question of agreeing to motions to instruct conferees as provided in clause 1(c) of rule XXVIII: *Provided, however,* That said question shall not be put if the conference report on that measure has been filed in the House.

(2) At the time designated by the Speaker for further consideration of proceedings postponed under subparagraph (1), the Speaker shall put each question on which further proceedings were postponed, in the order in which that question was considered.

(3) At any time after the vote has been taken on the first question on which the Speaker has postponed further proceedings under this paragraph, the Speaker may, in his discretion, reduce to not less than five minutes the period of time within which a roll call vote by electronic device on the question may be taken without any intervening business on any or all of the additional questions on which the Speaker has postponed further proceedings under this paragraph.

(4) If the House adjourns before all of the questions on which further proceedings were postponed under this paragraph have been put and determined, then, on the next following legislative day the unfinished business shall be the disposition of all such questions, previously undisposed of, in the order in which the questions were considered.

6. He shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive, or where the House is engaged in voting by ballot; and in cases of a tie vote the question shall be lost.

7. He shall have the right to name any Member to perform the duties of the Chair, but such substitution shall not extend beyond three legislative days, except that with the permission of the House he may name a Member to act as Speaker pro tempore only to sign enrolled bills and joint resolutions for a period of time specified in the designation, notwithstanding any other provision of this clause: *Provided, however,* That in case of his illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made; and in his absence and omission to make such appointment, the House shall proceed to elect a Speaker pro tempore to act during his absence.

8. He shall have the authority to designate any Member, officer or employee of the House of Representatives to travel on the business of the House of Representatives, as determined by him, within or without the United States, whether the House is meeting, has recessed or has adjourned, and all expenses for such travel may be paid for from the contingent fund of the House on vouchers solely approved and signed by the Speaker. However, expenses may not be paid from the contingent fund for travel of a Member after the date of

the general election of Members in which the Member has not been elected to the succeeding Congress, or in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

9. (a) He shall devise and implement a system subject to his direction and control for closed circuit viewing of floor proceedings of the House of Representatives in the offices of all Members and committees and in such other places in the Capitol and the House Office Buildings as he deems appropriate. Such system may include other telecommunications functions as he deems appropriate. Any such telecommunications function shall be subject to rules and regulations issued by the Speaker.

(b)(1) He shall devise and implement a system subject to his direction and control for complete and unedited audio and visual broadcasting and recording of the proceedings of the House of Representatives. He shall provide for the distribution of such broadcasts and recordings thereof to news media, the storage of audio and video recordings of the proceedings, and the closed captioning of the proceedings for hearing-impaired individuals.

(2) All television and radio broadcasting stations, networks, services, and systems (including cable systems) which are accredited to the House radio and television correspondents' galleries, and all radio and television correspondents who are accredited to the radio and television correspondents' galleries shall be provided access to the live coverage of the House of Representatives.

(3) No coverage made available under this clause nor any recording thereof shall be used for any political purpose.

(4) Coverage made available under this clause shall not be broadcast with commercial sponsorship except as part of bona fide news programs and public affairs documentary programs. No part of such coverage or any recording thereof shall be used in any commercial advertisement.

(c) He may delegate any of his responsibilities under this clause to such legislative entity as he deems appropriate.

10. There is established in the House of Representatives an office to be known as the Office of the Historian of the House of Representatives.

RULE II

ELECTION OF OFFICERS

There shall be elected by a viva voce vote, at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain, each of whom shall take an oath to support the Constitution of the United States, and for the true and faithful discharge of the duties of his office to the best of his knowledge and ability, and to keep the secrets of the House; and each shall appoint all of the employees of his department provided for by law.

RULE III

DUTIES OF THE CLERK

1. The Clerk shall, at the commencement of the first session of each Congress, call the Members to order, proceed to call the roll of Members by States in alphabetical order, and, pending the election of a Speaker or Speaker pro tempore, preserve order and decorum, and decide all questions of order subject to appeal by any Member.

2. He shall make and cause to be printed and delivered to each Member, or mailed to his address, at the commencement of every regular session of Congress, a list of the reports which it is the duty of any officer or Department to make to Congress, referring to the act or resolution and page of the volume of the laws or Journal in which it may be contained, and placing under the name of each officer the list of reports required of him to be made.

3. He shall note all questions of order, with the decisions thereon, the record of which shall be printed as an appendix to the Journal of each session; and complete, as soon after the close of the session as possible, the printing and distribution to Members, Delegates, and the Resident Commissioner from Puerto Rico of the Journal of the House, together with an accurate and complete index; retain in the library at his office, for the use of the Members, Delegates, the Resident Commissioner from Puerto Rico and officers of the House, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited there; send, at the end of each session, a printed copy of the Journal thereof to the executive and to each branch of the legislature of every State; deliver or mail to any Member, Delegate, or the Resident Commissioner from Puerto Rico an extra copy, in binding of good quality, of each document requested by that Member, Delegate, or the Resident Commissioner which has been printed, by order of either House of the Congress, in any Congress in which he served; attest and affix the seal of the House to all writs, warrants, and subpoenas issued by order of the House, certify to the passage of all bills and joint resolutions, make or approve all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives, in pursuance of law or order of the House, keep full and accurate accounts of the disbursements out of the contingent fund of the House, keep the stationery account of Members, Delegates, and the Resident Commissioner from Puerto Rico, and pay them as provided by law. He shall pay to the officers and employees of the House of Representatives the amount of their salaries that shall be due them.

4. He shall, in case of temporary absence or disability, designate an official in his office to sign all papers that may require the official signature of the Clerk of the House, and to do all other acts except such as are provided for by statute, they may be required under the rules and practices of the House to be done by the Clerk. Such official acts, when so done by the designated official, shall be under the name of the Clerk of the House. The said designation shall be in writing, and shall be laid before the House and entered on the Journal.

5. The Clerk is authorized to receive messages from the President and from the Senate at any time that the House is not in session.

6. He shall supervise the staff and manage any office of a Member who is deceased, has resigned, or been expelled until a successor is elected and shall perform similar duties in the event that a vacancy is declared by the House in any congressional district because of the incapacity of the Member representing such district or other reason. Whenever the Clerk is acting as a supervisory authority over such staff, he shall have authority to terminate employees; and he may appoint, with the approval of the Committee on House Administration, such staff as is required to operate the office until a successor is elected. He shall maintain on the House payroll and supervise in the same manner staff appointed pursuant to section 800 of Public Law 91-655 (2 U.S.C. 31b-5) for sixty days following the death of a former Speaker.

RULE IV

DUTIES OF THE SERGEANT-AT-ARMS

1. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings, to maintain order under the direction of the Speaker or Chairman, and, pending the election of a Speaker or Speaker pro tempore, under the direction of the Clerk, execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker; and keep the accounts for the pay and mileage of Members, Delegates, and the Resident Commissioner from Puerto Rico, and pay them as provided by law.

2. The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

RULE V

DUTIES OF THE DOORKEEPER

1. The Doorkeeper shall enforce strictly the rules relating to the privileges of the Hall and be responsible to

the House for the official conduct of his employees.

2. He shall allow no person to enter the room over the Hall of the House during its sittings; and fifteen minutes before the hour of the meeting of the House each day he shall see that the floor is cleared of all persons except those privileged to remain, and kept so until ten minutes after adjournment.

RULE VI

DUTIES OF THE POSTMASTER

The Postmaster shall superintend the post office in the Capitol and in the respective office buildings of the House for the accommodation of Representatives, Delegates, the Resident Commissioner from Puerto Rico, and officers of the House and shall be held responsible for the prompt and safe delivery of their mail.

RULE VII

DUTIES OF THE CHAPLAIN

The Chaplain shall attend at the commencement of each day's sitting of the House and open the same with prayer.

RULE VIII

OF THE MEMBERS

1. Every Member shall be present within the Hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question.

2. Pairs shall be announced by the Clerk immediately before the announcement by the Chair of the result of the vote, by the House of Committee of the Whole from a written list furnished him, and signed by the Member making the statement to the Clerk, which list shall be published in the Record as a part of the proceedings, immediately following the names of those not voting. However, pairs shall be announced but once during the same legislative day.

3. (a) A Member may not authorize any other individual to cast his vote or record his presence in the House or Committee of the Whole.

(b) No individual other than a Member may cast a vote or record a Member's presence in the House or Committee of the Whole.

(c) A Member may not cast a vote for any other Member or record another Member's presence in the House or Committee of the Whole.

RULE IX

QUESTIONS OF PRIVILEGE

Questions of privilege shall be, first those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE X

ESTABLISHMENT AND JURISDICTION OF STANDING COMMITTEES

The Committees and Their Jurisdiction

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee as listed in this clause shall (in accordance with and subject to clause 5) be referred to such committees, as follows:

(a) Committee on Agriculture.

(1) Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.

(2) Agriculture generally.

(3) Agricultural and industrial chemistry.

(4) Agricultural colleges and experiment stations.

(5) Agricultural economics and research.

(6) Agricultural education extension services.

(7) Agricultural production and marketing and stabilization of prices of agricultural products, and commodities (not including distribution outside of the United States).

(8) Animal industry and diseases of animals.

(9) Crop insurance and soil conservation.

(10) Dairy industry.

(11) Entomology and plant quarantine.

(12) Extension of farm credit and farm security.

(13) Forestry in general, and forest reserves other than those created from the public domain.

(14) Human nutrition and home economics.

(15) Inspection of livestock and meat products.

(16) Plant industry, soils, and agricultural engineering.

(17) Rural electrification.

(18) Commodities exchanges.

(19) Rural development.

(b) Committee on Appropriations.

(1) Appropriation of the revenue for the support of the Government.

(2) Rescissions of appropriations contained in appropriation Acts.

(3) Transfers of unexpended balances.

(4) The amount of new spending authority (as described in the Congressional Budget Act of 1974) which is to be effective for a fiscal year, including bills and resolutions (reported by other committees) which provide new spending authority and are referred to the committee under clause 4(a).

The committee shall include separate headings for "Rescissions" and "Transfers of Unexpended Balances" in any bill or resolution as reported from the committee under its jurisdiction specified in subparagraph (2) or (3), with all proposed rescissions and proposed transfers listed therein; and shall include a separate section with respect to such rescissions or transfers in the accompanying committee report. In addition to its jurisdiction under the preceding provisions of this paragraph, the committee shall have the fiscal oversight function provided for in clause 2(b)(3) and the budget hearing function provided for in clause 4(a).

(c) Committee on Armed Services.

(1) Common defense generally.

(2) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.

(3) Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.

(4) Conservation, development, and use of naval petroleum and oil shale reserves.

(5) Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.

(6) Scientific research and development in support of the armed services.

(7) Selective service.

(8) Size and composition of the Army, Navy, and Air Force.

(9) Soldiers' and sailors' homes.

(10) Strategic and critical materials necessary for the common defense.

(11) Military applications of nuclear energy.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(a) with respect to international arms control and disarmament, and military dependents education.

(d) Committee on Banking, Finance and Urban Affairs.

(1) Banks and banking, including deposit insurance and Federal monetary policy.

(2) Money and credit, including currency and the issuance of notes and redemption thereof; gold and silver, including the coinage thereof; valuation and revaluation of the dollar.

(3) Urban development.

(4) Public and private housing.

(5) Economic stabilization, defense production, renegotiation, and control of the price of commodities, rents, and services.

(6) International finance.

(7) Financial aid to commerce and industry (other than transportation).

(8) International Financial and Monetary organizations.

(e)(1) Committee on the Budget, consisting of the following Members:

(A) Members who are members of other standing committees, including five Members who are members of the Committee on Appropriations, and

five Members who are members of the Committee on Ways and Means;

(B) one Member from the leadership of the majority party; and

(C) one Member from the leadership of the minority party.

No Member other than the representative from the leadership of the majority party and the representative from the leadership of the minority party, shall serve as a member of the Committee on the Budget during more than three Congresses in any period of five successive Congresses (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress), except that an incumbent chairman having served on the committee for three Congresses and having served as chairman of the committee for not more than one Congress shall be eligible for reelection to the committee as chairman for one additional Congress. Previous service on the Committee before the One Hundred Second Congress shall be disregarded, for the purposes of this prohibition during the One Hundred Second Congress, for the ranking minority member of the Committee (who is not the Member designated as the Member from the leadership of the minority party). A minority Member having served on the committee for three Congresses and having served as the ranking minority member in the last such Congress shall be eligible for reelection to the committee as ranking minority Member for one additional Congress. All selections of Members to serve on the committee shall be made without regard to seniority.

(2) All concurrent resolutions on the budget (as defined in section 3 of the Congressional Budget Act of 1974) and other matters required to be referred to the committee under title III and IV of that Act.

(3) The committee shall have the duty—

(A) to report the matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974;

(B) to make continuing studies of the effect on budget outlays of relevant existing and proposed legislation and to report the results of such studies to the House on a recurring basis;

(C) to request and evaluate continuing studies of tax expenditures, to devise methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and to report the results of such studies to the House on a recurring basis; and

(D) to review, on a continuing basis, the conduct by the Congressional Budget Office of its functions and duties.

(f) Committee on the District of Columbia.

(1) All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—

(2) Adulteration of foods and drugs.

(3) Incorporation and organization of societies.

(4) Insurance, executors, administrators, wills, and divorce.

(5) Municipal code and amendments to the criminal and corporation laws.

(6) Municipal and juvenile courts.

(7) Public health and safety, sanitation, and quarantine regulations.

(8) Regulation of sale of intoxicating liquors.

(9) Taxes and tax sales.

(10) St. Elizabeths hospital.

(g) Committee on Education and Labor.

(1) Measures relating to education or labor generally.

(2) Child labor.

(3) Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital.

(4) Convict labor and the entry of goods made by convicts into interstate commerce.

(5) Labor standards.

(6) Labor statistics.

(7) Mediation and arbitration of labor disputes.

(8) Regulation or prevention of importation of foreign laborers under contract.

(9) Food programs for children in schools.

(10) United States Employees' Compensation Commission.

(11) Vocational rehabilitation.

(12) Wages and hours of labor.

(13) Welfare of miners.

(14) Work incentive programs.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(c) with respect to domestic educational programs and institutions, and programs of student assistance, which are within the jurisdiction of other committees.

(h) Committee on Energy and Commerce.

(1) Interstate and foreign commerce generally.

(2) National energy policy generally.

(3) Measures relating to the exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including all fossil fuels, solar energy, and other unconventional or renewable energy resources.

(4) Measures relating to the conservation of energy resources.

(5) Measures relating to the commercial application of energy technology.

(6) Measures relating to energy information generally.

(7) Measures relating to (A) the generation and marketing of power (except by federally chartered or Federal regional power marketing authorities), (B) the reliability and interstate transmission of, and ratemaking for, all power, and (C) the siting of generation facilities; except the installation of interconnections between Government waterpower projects.

(8) Interstate energy compacts.

(9) Measures relating to general management of the Department of Energy, and the management and all functions of the Federal Energy Regulatory Commission.

(10) Inland waterways.

(11) Railroads, including railroad labor, railroad retirement and unemployment, except revenue measures related thereto.

(12) Regulation of interstate and foreign communications.

(13) Securities and exchanges.

(14) Consumer affairs and consumer protection.

(15) Travel and tourism.

(16) Public health and quarantine.

(17) Health and health facilities, except health care supported by payroll deductions.

(18) Biomedical research and development.

Such committee shall have the same jurisdiction with respect to regulation of nuclear facilities and of use of nuclear energy as it has with respect to regulation of nonnuclear facilities and of use of nonnuclear energy.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight functions under clause 2(b)(1)), such committee shall have the special oversight functions provided for in clause (3)(h) with respect to all laws, programs, and Government activities affecting nuclear and other energy.

(i) Committee on Foreign Affairs.

(1) Relations of the United States with foreign nations generally.

(2) Acquisition of land and buildings for embassies and legations in foreign countries.

(3) Establishment of boundary lines between the United States and foreign nations.

(4) Foreign loans.

(5) International conferences and congresses.

(6) Intervention abroad and declarations of war.

(7) Measures relating to the diplomatic service.

(8) Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

(9) Neutrality.

(10) Protection of American citizens abroad and expatriation.

(11) The American National Red Cross.

(12) United Nations Organizations.

(13) Measures relating to international economic policy.

(14) Export controls, including nonproliferation of nuclear technology and nuclear hardware.

(15) International commodity agreements (other than those involving sugar), including all agreements for cooperation in the export of nuclear technology and nuclear hardware.

(16) Trading with the enemy.

(17) International education.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(d) with respect to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

(j) **Committee on Government Operations.**

(1) Budget and accounting measures, other than appropriations.

(2) The overall economy and efficiency of Government operations and activities, including Federal procurement.

(3) Reorganizations in the executive branch of the Government.

(4) Intergovernmental relationships between the United States and the States and municipalities, and general revenue sharing.

(5) National archives.

(6) Measures providing for off-budget treatment of Federal agencies or programs.

(7) Measures providing exemption from reduction under any order issued under part C of the Balanced Budget and Emergency Deficit Control Act of 1985.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its oversight functions under clause 2(b) (1) and (2)), the committee shall have the function of performing the activities and conducting the studies which are provided for in clause 4(c).

(k) **Committee on House Administration.**

(1) Appropriations from the contingent fund.

(2) Auditing and settling of all accounts which may be charged to the contingent fund.

(3) Employment of persons by the House, including clerks for Members and committees, and reporters of debates.

(4) Except as provided in clause 1(p)(4), matters relating to the Library of Congress and the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress, purchase of books and manuscripts; erection of monuments to the memory of individuals.

(5) Except as provided in clause 1(p)(4), matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(6) Expenditure of contingent fund of the House.

(7) Matters relating to printing and correction of the Congressional Record.

(8) Measures relating to accounts of the House generally.

(9) Measures relating to assignment of office space for Members and committees.

(10) Measures relating to the disposition of useless executive papers.

(11) Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.

(12) Measures relating to services to the House, including the House Restaurant, parking facilities and administration of the House Office Buildings and of the House wing of the Capitol.

(13) Measures relating to the travel of Members of the House.

(14) Measures relating to the raising, reporting and use of campaign contributions for candidates for office of Representative in the House of Representatives and of Resident Commissioner to the United States from Puerto Rico.

(15) Measures relating to the compensation, retirement and other benefits of the Members, officers, and employees of the Congress.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the function of performing the duties which are provided for in clause 4(d).

(l) **Committee on Interior and Insular Affairs.**

(1) Forest reserves and national parks created from the public domain.

(2) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(3) Geological Survey.

(4) Interstate compacts relating to apportionment of waters for irrigation purposes.

(5) Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects.

(6) Measures relating to the care and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

(7) Measures relating generally to the insular possessions of the United States, except those affecting the revenue and appropriations.

(8) Military parks and battlefields; national cemeteries administered by the Secretary of the Interior and parks within the District of Columbia.

(9) Mineral land laws and claims and entries thereunder.

(10) Mineral resources of the public lands.

(11) Mining interests generally.

(12) Mining schools and experimental stations.

(13) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

(14) Preservation of prehistoric ruins and objects of interest on the public domain.

(15) Public lands generally, including entry, easements, and grazing thereon.

(16) Relations of the United States with the Indians and the Indian tribes.

(17) Regulation of the domestic nuclear energy industry, including regulation of research and development reactors and nuclear regulatory research.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight functions provided for in clause 3(e) with respect to all programs affecting Indians and nonmilitary nuclear energy and research and development including the disposal of nuclear waste.

(m) **Committee on the Judiciary.**

(1) Judicial proceedings, civil and criminal generally.

(2) Apportionment of Representatives.

(3) Bankruptcy, mutiny, espionage, and counterfeiting.

(4) Civil liberties.

(5) Constitutional amendments.

(6) Federal courts and judges.

(7) Immigration and naturalization.

(8) Interstate compacts generally.

(9) Local courts in the Territories and possessions.

(10) Measures relating to claims against the United States.

(11) Meetings of Congress, attendance of Members and their acceptance of incompatible offices.

(12) National penitentiaries.

(13) Patent Office.

(14) Patents, copyrights, and trademarks.

(15) Presidential succession.

(16) Protection of trade and commerce against unlawful restraints and monopolies.

(17) Revision and codification of the Statutes of the United States.

(18) State and territorial boundary lines.

(19) Communist and other subversive activities affecting the internal security of the United States.

(n) **Committee on Merchant Marine and Fisheries.**

(1) Merchant marine generally.

(2) Oceanography and Marine Affairs, including coastal zone management.

(3) Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.

(4) Fisheries and wildlife, including research, restoration, refuges, and conservation.

(5) Measures relating to the regulation of common carriers by water (except matters subject to the jurisdiction of the Interstate Commerce Commission) and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

(6) Merchant marine officers and seamen.

(7) Navigation and the laws relating thereto, including pilotage.

(8) Panama Canal and the maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone; and interoceanic canals generally.

(9) Registering and licensing of vessels and small boats.

(10) Rules and international arrangements to prevent collisions at sea.

(11) United States Coast Guard and Merchant Marine Academies, and State Maritime Academies.

(12) International fishing agreements.

(o) Committee on Post Office and Civil Service.

(1) Census and the collection of statistics generally.

(2) All Federal Civil Service, including intergovernmental personnel.

(3) Postal savings banks.

(4) Postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.

(5) Status of officers and employees of the United States, including their compensation, classification, and retirement.

(6) Hatch Act.

(7) Holidays and celebrations.

(8) Population and demography.

(p) Committee on Public Works and Transportation.

(1) Flood control and improvement of rivers and harbors.

(2) Measures relating to the Capitol Building and the Senate and House Office Buildings.

(3) Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road.

(4) Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

(5) Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

(6) Oil and other pollution of navigable waters.

(7) Public buildings and occupied or improved grounds of the United States generally.

(8) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).

(9) Water power.

(10) Transportation, including civil aviation except railroads, railroad labor and pensions.

(11) Roads and the safety thereof.

(12) Water transportation subject to the jurisdiction of the Interstate Commerce Commission.

(13) Related transportation regulatory agencies, except (A) the Interstate Commerce Commission as it relates to railroads; (B) Federal Railroad Administration; and (C) Amtrak.

(q) Committee on Rules.

(1) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct), and order of business of the House.

(2) Recesses and final adjournments of Congress.

(3) The Committee on Rules is authorized to sit and act whether or not the House is in session.

(r) Committee on Science, Space, and Technology.

(1) Astronautical research and development, including resources, personnel, equipment, and facilities.

(2) Bureau of Standards, standardization of weights and measures and the metric system.

(3) National Aeronautics and Space Administration.

(4) National Aeronautics and Space Council.

(5) National Science Foundation.

(6) Outer space, including exploration and control thereof.

(7) Science Scholarships.

(8) Scientific research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

(9) Civil aviation research and development.

(10) Environmental research and development.

(11) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.

(12) National Weather Service.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(f) with respect to all nonmilitary research and development.

(s) Committee on Small Business.

(1) Assistance to and protection of small business, including financial aid.

(2) Participation of small-business enterprises in Federal procurement and Government contracts.

In addition to its legislative jurisdiction under the preceding provisions of this paragraph and (its general oversight function under clause 2(b)(1)), the committee shall have the special oversight function provided for in clause 3(g) with respect to the problems of small business.

(t) Committee on Standards of Official Conduct.

(1) Measures relating to the Code of Official Conduct.

In addition to its legislative jurisdiction under the preceding provision of this paragraph (and its general oversight function under clause 2(b)(1)), the committee shall have the functions with respect to recommendations, studies, investigations, and reports which are provided for in clause 4(e), and the functions designated in titles I and V of the Ethics in Government Act of 1978 and sections 7342, 7351, and 7353 of title 5, United States Code.

(u) Committee on Veterans' Affairs.

(1) Veterans' measures generally.

(2) Cemeteries of the United States in which veterans of any war or conflict are or may be buried, whether in the United States or abroad, except cemeteries administered by the Secretary of the Interior.

(3) Compensation, vocational rehabilitation, and education of veterans.

(4) Life insurance issued by the Government on account of service in the Armed Forces.

(5) Pensions of all the wars of the United States, general and special.

(6) Readjustment of servicemen to civil life.

(7) Soldiers' and sailors' civil relief.

(8) Veterans' hospitals, medical care, and treatment of veterans.

(v) Committee on Ways and Means.

(1) Customs, collection districts, and ports of entry and delivery.

(2) Reciprocal trade agreements.

(3) Revenue measures generally.

(4) Revenue measures relating to the insular possessions.

(5) The bonded debt of the United States (subject to the last sentence of clause 4(g) of this rule).

(6) The deposit of public moneys.

(7) Transportation of dutiable goods.

(8) Tax exempt foundations and charitable trusts.

(9) National social security, except (A) health care and facilities programs that are supported from general revenues as opposed to payroll deductions and (B) work incentive programs.

General Oversight Responsibilities

2. (a) In order to assist the House in—

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Con-

gress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate,

the various standing committees shall have oversight responsibilities as provided in paragraph (b).

(b)(1) Each standing committee (other than the Committee on Appropriations and the Committee on the Budget) shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, each such committee shall review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of that committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of that committee. Each such committee having more than twenty members shall establish an oversight subcommittee, or require its subcommittees, if any, to conduct oversight in the area of their respective jurisdiction, to assist in carrying out its responsibilities under this subparagraph. The establishment of oversight subcommittees shall in no way limit the responsibility of the subcommittees with legislative jurisdiction from carrying out their oversight responsibilities.

(2) The Committee on Government Operations shall review and study, on a continuing basis, the operation of Government activities at all levels with a view to determining their economy and efficiency.

(3) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in the determination of matters within its jurisdiction.

(c) Each standing committee of the House shall have the function of reviewing and studying on a continuing basis the impact or probable impact of tax policies affecting subjects within its jurisdiction as described in clauses 1 and 3.

Special Oversight Functions

3. (a) The Committee on Armed Services shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving international arms control and disarmament and the education of military dependents in schools.

(b) The Committee on the Budget shall have the function of—

(1) making continuing studies of the effect on budget outlays of relevant existing and proposed legislation, and reporting the results of such studies to the House on a recurring basis; and

(2) requesting and evaluating continuing studies of tax expenditures, devising methods of coordinating tax expenditures, policies, and programs with direct budget outlays, and reporting the results of such studies to the House on a recurring basis.

(c) The Committee on Education and Labor shall have the function of reviewing, studying, and coordinating, on a continuing basis, all laws, programs, and Government activities dealing with or involving domestic educational programs and institutions, and programs of student assistance, which are within the jurisdiction of other committees.

(d) The Committee on Foreign Affairs shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

(e) The Committee on Interior and Insular Affairs shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with Indians and nonmilitary nuclear energy and research and development including the disposal of nuclear waste.

(f) The Committee on Science, Space, and Technology shall have the function of reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving nonmilitary research and development.

(g) The Committee on Small Business shall have the function of studying and investigating, on a continuing basis, the problems of all types of small business.

(h) The Committee on Energy and Commerce shall have the function of reviewing and studying on a continuing basis, all laws, programs and government activities relating to nuclear and other energy.

(i) The Committee on Rules shall have the function of reviewing and studying, on a continuing basis, the congressional budget process, and the committee shall, from time to time, report its findings and recommendations to the House.

Additional Functions of Committees

4. (a)(1)(A) The Committee on Appropriations shall, within thirty days after the transmittal of the Budget to the Congress each year, hold hearings on the Budget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of the President in the presentation of the Budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings pursuant to subdivision (A), the committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committee may desire.

(C) Hearings pursuant to subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security: *Provided, however,* That the committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

(D) Hearings pursuant to subdivision (A), or any part thereof, may be held before joint meetings of the committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

(2) Whenever any bill or resolution which provides new spending authority described in section 401(c)(2)(C) of the Congressional Budget Act of 1974 is reported by a committee of the House and the amount of new budget authority which will be required for the fiscal year involved if such bill or resolution is enacted as so reported exceeds the appropriate allocation of new budget authority reported as described in clause 4(h) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year, such bill or resolution shall then be referred to the Committee on Appropriations with instructions to report it, with the committee's recommendations and (if the committee deems it desirable) with an amendment limiting the total amount of new spending authority provided in the bill or resolution, within 15 calendar days (not counting any day on which the House is not in session) beginning with

the day following the day on which it is so referred. If the Committee on Appropriations fails to report the bill or resolution within such 15-day period, the committee shall be automatically discharged from further consideration of the bill or resolution and the bill or resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law which (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority of permanent budget authority, and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

(b) The Committee on the Budget shall have the duty—

(1) to review on a continuing basis the conduct by the Congressional Budget Office of its functions and duties;

(2) to hold hearings, and receive testimony from Members of Congress and such appropriate representatives of Federal departments and agencies, the general public, and national organizations as it deems desirable, in developing the concurrent resolutions on the budget for each fiscal year;

(3) to make all reports required of it by the Congressional Budget Act of 1974, including the reporting of reconciliation bills and resolutions when so required;

(4) to study on a continuing basis those provisions of law which exempt Federal agencies or any of their activities or outlays from inclusion in the Budget of the United States Government, and to report to the House from time to time its recommendations for terminating or modifying such provisions; and

(5) to study on a continuing basis proposals designed to improve and facilitate methods of congressional budget-making, and to report to the House from time to time the results of such study together with its recommmendations.

(c)(1) The Committee on Government Operations shall have the general function of—

(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the House as it deems necessary or desirable in connection with the subject matter of such reports;

(B) evaluating the effects of laws enacted to reorganise the legislative and executive branches of the Government; and

(C) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organisations of which the United States is a member.

(2) In addition to its duties under subparagraph (1), the Committee on Government Operations may at any time conduct investigations of any matter without regard to the provisions of clause 1, 2, or 3 (or this clause) conferring jurisdiction over such matter upon another standing committee. The committee's findings and recommendations in any such investigation shall be made available to the other standing committee or committees having jurisdiction over the matter involved (and included in the report of any such other committee when required by clause 2(1)(3) of Rule XI).

(d) The Committee on House Administration shall have the function of—

(1) examining all bills, amendments, and joint resolutions after passage by the House and, in cooperation with the Senate, examining all bills and joint resolutions which shall have passed both Houses to see that they are correctly enrolled, forthwith presenting those which originated in the House to the President of the United States in person after their signature by the Speaker of the House and the President of the Senate and reporting the fact and date of such presentation to the House;

(2) reporting to the Sergeant-at-Arms of the House concerning the travel of Members of the House; and

(3) providing, through the House Information Systems, a scheduling service which shall be used by all the committees and subcommittees of the House to eliminate, insofar as possible, any meeting and scheduling conflicts.

(e)(1) The Committee on Standards of Official Conduct is authorized: (A) to recommend to the House from time to time such administrative actions as it may deem appropriate to establish or enforce standards of official conduct for Members, officers, and employees of the House, and any letter of reproval or other administrative action of the committee pursuant to an investigation under subdivision (B) shall only be issued or implemented as a part of a report required by such subdivision; (B) to investigate, subject to subparagraph (2) of this paragraph, any alleged violation, by a Member, officer, or employee of the House, of the Code of Official Conduct or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his duties or the discharge of his responsibilities, and after notice and hearing (unless the right to a hearing is waived by the Member, officer, or employee), shall report to the House its findings of fact and recommendations, if any, upon the final disposition of any such investigation, and such action as the committee may deem appropriate in the circumstances; (C) to report to the appropriate Federal or State authorities, with the approval of the House, any substantial evidence of a violation, by a Member, officer, or employee of the House, of any law applicable to the performance of his duties or the discharge of his responsibilities, which may have been disclosed in a committee investigation; (D) to give consideration to the request of any Member, officer, or employee of the House for an advisory opinion with respect to the general propriety of any current or proposed conduct of such Member, officer, or employee and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinion for the guidance of other Members, officers, and employees of the House; and (E) to give consideration to the request of any Member, officer, or employee of the House for a written waiver in exceptional circumstances with respect to clause 4 of rule XLIII.

(2)(A) No resolution, report, recommendation, or advisory opinion relating to the official conduct of a Member, officer, or employee of the House shall be made by the Committee on Standards of Official Conduct, and no investigation of such conduct shall be undertaken by such committee, unless approved by the affirmative vote of a majority of the members of the committee.

(B) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, officer, or employee of the House of Representatives only—

(i) upon receipt of a complaint, in writing and under oath, made by or submitted to a Member of the House and transmitted to the committee by such Member, or

(ii) upon receipt of a complaint, in writing and under oath, directly from an individual not a Member of the House if the committee finds that such complaint has been submitted by such individual to not less than three Members of the House who have refused, in writing, to transmit such complaint to the committee.

(C) No investigation shall be undertaken by the committee of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation; nor shall any investigation be undertaken by the committee of any alleged violation which occurred before the third previous Congress unless the committee determines that the alleged violation is directly related to any alleged violation which occurred in a more recent Congress.

(D) A member of the committee shall be ineligible to participate, as a member of the committee, in any committee proceeding relating to his or her official conduct. In any case in which a member of the committee is

ineligible to act as a member of the committee under the preceding sentence, the Speaker of the House shall designate a Member of the House from the same political party as the ineligible member of the committee to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

(E) A member of the committee may disqualify himself from participating in any investigation of the conduct of a Member, officer, or employee of the House upon the submission in writing and under oath of an affidavit of disqualification stating that he cannot render an impartial and unbiased decision in the case in which he seeks to disqualify himself. If the committee approves and accepts such affidavit of disqualification, the chairman shall so notify the Speaker and request the Speaker to designate a Member of the House from the same political party as the disqualifying member of the committee to act as a member of the committee in any committee proceeding relating to such investigation.

(F) No information or testimony received, or the contents of a complaint or the fact of its filing, shall be publicly disclosed by any committee or staff member unless specifically authorized in each instance by a vote of the full committee.

(f)(1) Each standing committee of the House shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph a Government agency includes the organizational units of government listed in clause 7(c) of Rule XIII.

(2) Each standing committee of the House shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(g) Each standing committee of the House shall, on or before February 25 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year. The views and estimates submitted by the Committee on Ways and Means under the preceding sentence shall include a specific recommendation, made after holding public hearings, as to the appropriate level of the public debt which should be set forth in the concurrent resolution on the budget referred to in such sentence and serve as the basis for an increase or decrease in the statutory limit on such debt under the procedures provided by rule XLIX.

(h) As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, each standing committee of the House (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 or section 602 (in the case of fiscal years 1991 through 1995) of the Congressional Budget Act of 1974.

(i) Each standing committee of the House which is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

Referral of Bills, Resolutions, and Other Matters to Committees

5. (a) Each bill, resolution, or other matter which relates to a subject listed under any standing committee named in clause 1 shall be referred by the Speaker in accordance with the provisions of this clause.

(b) Every referral of any matter under paragraph (a) shall be made in such manner as to assure to the maximum extent feasible that each committee which has jurisdiction under clause 1 over the subject matter of any provision thereof will have responsibility for considering such provision and reporting to the House with respect thereto. Any precedents, rulings, and procedures in effect prior to the Ninety-Fourth Congress shall be applied with respect to referrals under this clause only to the extent that they will contribute to the achievement of the objectives of this clause.

(c) In carrying out paragraphs (a) and (b) with respect to any matter, the Speaker may refer the matter simultaneously to two or more committees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any committee), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different committee, or refer the matter to a special ad hoc committee appointed by the Speaker with the approval of the House (from the members of the committees having legislative jurisdiction) for the specific purpose of considering that matter and reporting to the House thereon, or make such other provision as may be considered appropriate.

Election and Membership of Committees; Chairman; Vacancies; Select and Conference Committees

6. (a)(1) The standing committees specified in clause 1 shall be elected by the House within the seventh calendar day beginning after the commencement of each Congress, from nominations submitted by the respective party caucuses. It shall always be in order to consider resolutions recommended by the respective party caucuses to change the composition of standing committees.

(2) One-half of the members of the Committee on Standards of Official Conduct shall be from the majority party and one-half shall be from the minority party. No Member shall serve as a member of the Committee on Standards of Official Conduct during more than 3 Congresses in any period of 5 successive Congresses (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress).

(b) Membership on standing committees during the course of a Congress shall be contingent on continuing membership in the party caucus or conference that nominated Members for election to such committees. Should a Member cease to be a member of a particular party caucus or conference, said Member shall automatically cease to be a member of a standing committee to which he was elected on the basis of nomination by that caucus or conference. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member ceases to be a member of a party caucus or conference and the Speaker shall notify the chairman of each standing committee on which said Member serves, that in accord with this rule, the Member's election to such committee is automatically vacated.

(c) One of the members of each standing committee shall be elected by the House, from nominations submitted by the majority party caucus, at the commencement of each Congress, as chairman thereof. In the temporary absence of the chairman, the member next in rank in the order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman; and in case of a permanent vacancy in the chairmanship of any such committee the House shall elect another chairman.

(d) Each standing committee of the House of Representatives, except the Committee on the Budget, that has

more than twenty members shall establish at least four subcommittees.

(e) All vacancies in standing committees shall be filled by election by the House from nominations, submitted by the respective party caucus or conference.

(f) The Speaker shall appoint all select and conference committees which shall be ordered by the House from time to time. In appointing members to conference committees the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker. The Speaker shall name Members who are primarily responsible for the legislation and shall, to the fullest extent feasible, include the principal proponents of the major provisions of the bill as it passed the House.

(g) Membership on select and joint committees during the course of a Congress shall be contingent on continuing membership in the party caucus or conference the Member was a member of at the time of his appointment to a select or joint committee. Should a Member cease to be a member of that caucus or conference, said Member shall automatically cease to be a member of any select or joint committee to which he is assigned. The chairman of the relevant party caucus or conference shall notify the Speaker whenever a Member ceases to be a member of a party caucus or conference and the Speaker shall notify the chairman of each select or joint committee on which said Member serves, that in accord with this rule, the Member's appointment to such committee is automatically vacated.

(h) The Speaker may appoint the Resident Commissioner from Puerto Rico and Delegates to the House to any select committee and to any conference committee that is considering legislation reported from a committee on which they serve.

(i) There shall be in the House the permanent Select Committee on Aging, which shall not have legislative jurisdiction but which shall have jurisdiction—

(1) to conduct a continuing comprehensive study and review of the problems of the older American, including but not limited to income maintenance, housing, health (including medical research), welfare, employment, education, recreation, and participation in family and community life as self-respecting citizens;

(2) to study the use of all practicable means and methods of encouraging the development of public and private programs and policies which will assist the older American in taking a full part in national life and which will encourage the utilization of the knowledge, skills, special aptitudes, and abilities of older Americans to contribute to a better quality of life for all Americans;

(3) to develop policies that would encourage the coordination of both governmental and private programs designed to deal with problems of aging; and

(4) to review any recommendations made by the President or by the White House Conference on Aging relating to programs or policies affecting older Americans.

Rule XI

Rules of Procedure for Committees

In General

1. (a)(1) The Rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in committees and subcommittees.

(2) Each subcommittee of a committee is a part of that committee, and is subject to the authority and direction of that committee and to its rules so far as applicable.

(b) Each committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X, and (subject to the adoption of expense resolutions as required by clause 5) to incur expenses (including travel expenses) in connection therewith.

(c) Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of a committee shall be paid from the contingent fund of the House.

(d) Each committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of that committee under this rule and Rule X during the Congress ending at noon on January 3 of such year.

Committee Rules

Adoption of written rules

2. (a) Each standing committee of the House shall adopt written rules governing its procedure. Such rules—

(1) shall be adopted in a meeting which is open to the public unless the committee, in open session and with a quorum present, determined by roll call vote that all or part of the meeting on that day is to be closed to the public;

(2) shall be not inconsistent with the Rules of the House or with those provisions of law having the force and effect of Rules of the House; and

(3) shall in any event incorporate all of the succeeding provisions of this clause to the extent applicable.

Each committee's rules specifying its regular meeting days, and any other rules of a committee which are in addition to the provisions of this clause, shall be published in the Congressional Record not later than thirty days after the committee is elected in each odd-numbered year. Each select or joint committee shall comply with the provisions of this paragraph unless specifically prohibited by law.

Regular meeting days

(b) Each standing committee of the House shall adopt regular meeting days, which shall be not less frequent than monthly, for the conduct of its business. Each such committee shall meet, for the consideration of any bill or resolution pending before the committee or for the transaction of other committee business, on all regular meeting days fixed by the committee, unless otherwise provided by written rule adopted by the committee.

Additional and special meetings

(c)(1) The Chairman of each standing committee may call and convene, as he or she considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purpose pursuant to that call of the chairman.

(2) If at least three members of any standing committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of, and the measure or matter to be considered at, that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

Vice chairman or ranking majority member to preside in absence of chairman

(d) The member of the majority party on any standing committee or subcommittee thereof ranking immediately after the chairman shall be

vice chairman of the committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the committee or subcommittee are not present at any meeting of the committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

Committee records

(e)(1) Each committee shall keep a complete record of all committee action which shall include a record of the votes on any question on which a roll call vote is demanded. The result of each such roll call vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and whether by proxy or in person, and the names of those Members present but not voting.

(2) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House and all Members of the House shall have access thereto, except that in the case of records in the Committee on Standards of Official Conduct respecting the conduct of any Member, officer, or employee of the House, no Member of the House (other than a member of such committee) shall have access thereto without the specific, prior approval of the committee.

(3) Each committee shall include in its rules standards for availability of records of the committee delivered to the Archivist of the United States under rule XXXVI. Such standards shall specify procedures for orders of the committee under clause 3(b)(3) and clause 4(b) of rule XXXVI, including a requirement that nonavailability of a record for a period longer than the period otherwise applicable under that rule shall be approved by vote of the committee.

Proxies

(f) No vote by any member of any committee or subcommittee with respect to any measure or matter may be cast by proxy unless such committee, by written rule adopted by the committee, permits voting by proxy and requires that the proxy authorization shall be in writing, shall assert that the member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a member may authorize a general proxy only for motions to recess, adjourn or other procedural matters. Each proxy to be effective shall be signed by the member assigning his or her vote and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

Open meetings and hearings

(g)(1) Each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public: *Provided, however,* That no person other than members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by clause 4(g)(1) of Rule X or by subparagraph (2) of this paragraph, or to any meeting that relates solely to internal budget or personnel matters.

(2) Each hearing conducted by each committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony,

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate clause 2(k)(5) of Rule XI; or

(B) may vote to close the hearing, as provided in clause 2(k)(5) of Rule XI. No Member may be excluded from nonparticipatory attendance at any hearing of any committee or subcommittee, with the exception of the Committee on Standards of Official Conduct, unless the House of Representatives shall by majority vote authorize a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subparagraph for closing hearings to the public: *Provided, however,* That the committee or subcommittee may by the same procedure vote to close one subsequent day of hearing except that the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence and the subcommittees therein may, by the same procedure, vote to close up to five additional consecutive days of hearings.

(3) Each committee of the House (except the Committee on Rules) shall make public announcement of the date, place and subject matter of any committee hearing at least one week before the commencement of the hearing. If the committee determines that there is good cause to begin the hearing sooner, it shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.

(4) Each committee shall, insofar as is practicable, require each witness who is to appear before it to file with the committee (in advance of his or her appearance) a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of his or her argument.

(5) No point of order shall lie with respect to any measure reported by any committee on the ground that hearings on such measure were not conducted in accordance with the provisions of this clause, except that a point of order on that ground may be made by any member of the committee which reported the measure if, in the committee, such point of order was (A) timely made and (B) improperly overruled or not properly considered.

(6) The preceding provisions of this paragraph do not apply to the committee hearings which are provided for by clause 4(a)(1) of Rule X.

Quorum for taking testimony and certain other action

(h)(1) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence which shall be not less than two.

(2) Each committee (except the Committee on Appropriations, the Committee on the Budget, and the Committee on Ways and Means) may fix the number of its members to constitute a quorum for taking any action other than the reporting of a measure or recommendation which shall be not less than one-third of the members.

Prohibition against committee meetings during five-minute rule and during joint sessions and joint meetings

(i)(1) No committee of the House (except the Committee on Appropriations, the Committee on the Budget, the Committee on House Administration, the Committee on Rules, the Committee on Standards of Official Conduct, and the Committee on Ways and Means) may sit, without special leave, while the House is reading a measure for amendment under the five-minute rule. For purposes of this subparagraph special leave will be granted unless 10 or more Members object.

(2) No committee of the House may sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

Calling and interrogation of witnesses

(j)(1) Whenever any hearing is conducted by any committee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(2) Each committee shall apply the five-minute rule in the interrogation of witnesses in any hearing until such time as each member of the committee who so desires has had an opportunity to question each witness.

Investigative hearing procedures

(k)(1) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

(2) A copy of the committee rules and this clause shall be made available to each witness.

(3) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

(5) Whenever it is asserted that the evidence or testimony at an investigatory hearing may tend to defame, degrade, or incriminate any person,

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of clause 2(g)(2) of this Rule, if by a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony, the committee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the committee shall proceed to receive such testimony in open session only if a majority of the members of the committee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

In either case the committee shall afford such person an opportunity voluntarily to appear as a witness, and receive and dispose of requests from such person to subpoena additional witnesses.

(6) Except as provided in subparagraph (5), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

(7) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

(8) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(9) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the committee.

Committee procedures for reporting bills and resolutions

(l)(1)(A) It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken necessary steps to bring a matter to a vote.

(B) In any event, the report of any committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request. This subdivision does not apply to the reporting of a regular appropriation bill by the Committee on Appropriations prior to compliance with subdivision (C) and does not apply to a report of the Committee on Rules with respect to the rules, joint rules, or order of business of the House or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(2)(A) No measure or recommendation shall be reported from any committee unless a majority of the committee was actually present.

(B) With respect to each roll call vote on a motion to report any bill or resolution of a public character, the total number of votes cast for, and the total number of votes cast against, the reporting of such bill or resolution shall be included in the committee report.

(3) The report of any committee on a measure which has been approved by the committee (A) shall include the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X separately set out and clearly identified; (B) the statement required by section 308(a)(1) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures; (C) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of such Act, separately set out and clearly identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted such estimate and comparison to the committee; and (D) a summary of the oversight findings and recommendations made by the Committee on Government Operations under clause 4(c)(2) of Rule X separately set out and clearly identified whenever such findings and recommendations have been submitted to the legislative committee in a timely fashion to allow an opportunity to consider such findings and recommendations during the committee's deliberations on the measure.

(4) Each report of a committee on each bill or joint resolution of a public character reported by such committee shall contain a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on prices and costs in the operation of the national economy.

(5) If, at the time of approval of any measure or matter by any committee, other than the Committee on Rules, any member of the committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that member, with the clerk of the committee. All such views so filed by one or more members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be printed in a single volume which—

(A) shall include all supplemental, minority, or additional views which

have been submitted by the time of the filing of the report, and

(B) shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (C) and (D) of subparagraph (3)) are included as part of the report.

This subparagraph does not preclude—

(i) the immediate filing or printing of a committee print unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph; or

(ii) the filing by any such committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

(6) A measure or matter reported by any committee (except the Committee on Rules in the case of a resolution making in order the consideration of a bill, resolution, or other order of business), shall not be considered in the House until the third calendar day, excluding Saturdays, Sundays, and legal holidays on which the report of that committee upon that measure or matter has been available to the Members of the House, or as provided by section 305(a)(1) of the Congressional Budget Act of 1974 in the case of a concurrent resolution on the budget: *Provided, however,* That it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b), Rule XI, a report from the Committee on Rules specifically providing for the consideration of a reported measure or matter notwithstanding this restriction. If hearings have been held on any such measure or matter so reported, the committee reporting the measure or matter shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the House prior to the consideration of such measure or matter in the House. This subparagraph shall not apply to—

(A) any measure for the declaration of war, or the declaration of a national emergency, by the Congress; or

(B) any decision, determination, or action by a Government agency which would become or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress.

For the purposes of the preceding sentence, a Government agency includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(7) If, within seven calendar days after a measure has, by resolution, been made in order for consideration by the House, no motion has been offered that the House consider that measure, any member of the committee which reported that measure may be recognized in the discretion of the Speaker to offer a motion that the House shall consider that measure, if that committee has duly authorized that member to offer that motion.

Power to sit and act; subpoena power

(m)(1) For the purpose of carrying out any of its functions and duties under this rule and Rule X (including any matters referred to it under clause 5 of Rule X), any committee, or any subcommittee thereof, is authorized (subject to subparagraph (2)(A) of this paragraph)—

(A) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, and

(B) to require, by subpoena—or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents

as it deems necessary. The chairman of the committee, or any member designated by such chairman, may administer oaths to any witness.

(2)(A) A subpoena may be authorized and issued by a committee or subcommittee under subparagraph (1)(B) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. The power to authorize and issue subpoenas under subparagraph (1)(B) may be delegated to the chairman of the committee pursuant to such rules and under such limitations as the committee may prescribe. Authorized subpoenas shall be signed by the chairman of the committee or by any member designated by the committee.

(B) Compliance with any subpoena issued by a committee or subcommittee under subparagraph (1)(B) may be enforced only as authorized or directed by the House.

Use of committee funds for travel

(n)(1) Funds authorized for a committee under clause 5 are for expenses incurred in the committee's activities. however, local currencies owned by the United States shall be made available to the committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds, including those authorized under clause 5, shall be expended for the purpose of defraying expenses of members of the committee or its employees in any country where local currencies are available for this purpose, and the following conditions shall apply with respect to travel outside the United States or its territories or possessions:

(A) No member or employee of the committee shall receive or expend local currencies for subsistence in any country for any day at a rate in excess of the maximum per diem set forth in applicable Federal law, or if the Member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual, unreimbursed expenses (other than for transportation) incurred by the Member or employee during that day.

(B) Each member or employee of the committee shall make to the chairman of the committee an itemized report showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, any funds expended for any other official purpose and shall summarize in these categories the total foreign currencies and/or appropriated funds expended. All such individual reports shall be filed no later than sixty days following the completion of travel with the chairman of the committee for use in complying with reporting requirements in applicable Federal law and shall be open for public inspection.

(2) In carrying out the committee's activities outside of the United States in any country where local currencies are unavailable, a member or employee of the committee may not receive reimbursement for expenses (other than for transportation) in excess of the maximum per diem set forth in applicable Federal law, or if the member or employee is reimbursed for any expenses for such day, then the lesser of the per diem or the actual unreimbursed expenses (other than for transportation) incurred, by the member or employee during any day.

(3) A member or employee of a committee may not receive reimbursement for the cost of any transportation in connection with travel outside of the United States unless the member or employee has actually paid for the transportation.

(4) The restrictions respecting travel outside of the United States set forth in subparagraphs (2) and (3) shall also apply to travel outside of the United States by Members, officers, and employees of the House authorized under clause 8 of Rule I, clause 1(b) of this rule, or any other provision of these Rules of the House of Representatives.

(5) No local currencies owned by the United States may be made available under this paragraph for the use outside of the United States for defraying the expenses of a member of any committee after—

(A) the date of the general election of Members in which the Member has not been elected to the succeeding Congress, or

(B) in the case of a Member who is not a candidate in such general elec-

tion, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

Broadcasting of Committee Hearings

3. (a) It is the purpose of this clause to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings, or committee meetings, which are open to the public may be covered, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution of the United States as an organ of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered, under authority of this clause, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting shall be in strict conformity with and observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations and shall not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or any Member or bring the House, the committee, or any Member into disrepute.

(d) The coverage of committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege made available by the House and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever any hearing or meeting conducted by any committee of the House is open to the public, that committee may permit, by majority vote of the committee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, but only under such written rules as the committee may adopt in accordance with the purposes, provisions, and requirements of this clause: *Provided, however,* Each committee or subcommittee chairman shall determine, in his discretion, the number of television and still cameras permitted in a hearing or meeting room.

(f) The written rules which may be adopted by a committee under paragraph (e) of this clause shall contain provisions to the following effect:

(1) If live television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpoena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of this rule, relating to the protection of the rights of witnesses.

(3) The allocation among the television media of the positions of the number of television cameras permitted by a committee or subcommittee chairman in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(5) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) In the allocation of the number of still photographers permitted by a committee or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If requests are made by more of the media than will be permitted by a committee or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

Privileged Reports and Amendments

4. (a) The following committees shall have leave to report at any time on the matters herein stated, namely: The Committee on Appropriations—on general appropriation bills and on joint resolutions continuing appropriations for a fiscal year if reported after September 15 preceding the beginning of such fiscal year; the Committee on the Budget—on the matters required to be reported by such committee under Titles III and IV of the Congressional Budget Act of 1974; the Committee on House Administration—on enrolled bills, contested election, and all matters referred to it of printing for the use of the House or the two Houses, and on all matters of expenditure of the contingent fund of the House, and on all matters relating to preservation and availability of non-

current records of the House under rule XXXVI; the Committee on Rules—on rules, joint rules, and the order of business; and the Committee on Standards of Official Conduct—on resolutions recommending action by the House of Representatives with respect to an individual Member, officer, or employee of the House of Representatives as a result of any investigation by the committee relating to the official conduct of such Member, officer, or employee of the House of Representatives.

(b) It shall always be in order to call up for consideration a report from the Committee on Rules on a rule, joint rule, or the order of business (except it shall not be called up for consideration on the same day it is presented to the House, unless so determined by a vote of not less than two-thirds of the Members voting, but this provision shall not apply during the last three days of the session), and, pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced the Speaker shall not entertain any other dilatory motion until the report shall have been fully disposed of. The Committee on Rules shall not report any rule or order which provides that business under clause 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present; nor shall it report any rule or order which would prevent the motion to recommit from being made as provided in clause 4 of Rule XVI.

(c) The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when the bill or resolution involved is ordered reported by the committee. If any such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Rules Committee may call it up as a question of privilege (but only on the day after the calendar day on which such Member announces to the House his intention to do so) and the Speaker shall recognize any member of the Rules Committee seeking recognition for that purpose. If the Committee on Rules makes an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House such adverse report, and it shall be in order to move the adoption by the House of such resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the Member seeking recognition for that purpose as a question of the highest privilege.

(d) Whenever the Committee on Rules reports a resolution repealing or amending any of the Rules of the House of Representatives or part thereof it shall include in its report or in an accompanying document—

(1) the text of any part of the Rules of the House of Representatives which is proposed to be repealed; and

(2) a comparative print of any part of the resolution making such an amendment and any part of the Rules of the House of Representatives to be amended, showing by an appropriate typographical device the omissions and insertions proposed to be made.

Committee Expenses

5. (a) Whenever any committee, commission or other entity (except the Committee on Appropriations and the Committee on the Budget) is to be granted authorization for the payment, from the contingent fund of the House, of its expenses in any year, other than those expenses to be paid from appropriations provided by statute, such authorization initially shall be procured by one primary expense resolution for the committee, commission or other entity providing funds for the payment of the expenses of the committee, commission or other entity for that year from the contingent fund of the House. Any such primary expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution has been available to the Members of the House for at least one calendar day prior to the consideration of that resolution in the House. Such report shall, for the information of the House—

(1) state the total amount of the funds to be provided to the committee, commission or other entity under the primary expense resolution for all anticipated activities and programs of the committee, commission or other entity; and

(2) to the extent practicable, contain such general statements regarding the estimated foreseeable expenditures for the respective anticipated activities and programs of the committee, commission or other entity as may be appropriate to provide the House with basic estimates with respect to the expenditure generally of the funds to be provided to the committee, commission or other entity under the primary expense resolution.

(b) After the date of adoption by the House of any such primary expense resolution for any such committee, commission or other entity for any year, authorization for the payment from the contingent fund of additional expenses of such committee, commission or other entity in that year, other than those expenses to be paid from appropriations provided by statute, may be procured by one or more supplemental expense resolutions for that committee, commission or other entity as necessary. Any such supplemental expense resolution reported to the House shall not be considered in the House unless a printed report on that resolution has been made available to the Members of the House for at least one calendar day prior to the consideration of that resolution in the House. Such report shall, for the information of the House—

(1) state the total amount of additional funds to be provided to the committee, commission or other entity under the supplemental expense resolution and the purpose or purposes for which those additional funds are to be used by the committee, commission or other entity; and

(2) state the reason or reasons for the failure to procure the additional funds for the committee, commission or other entity by means of the primary expense resolution.

(c) The preceding provisions of this clause do not apply to—

(1) any resolution providing for the payment from the contingent fund of the House of sums necessary to pay compensation for staff services performed for, or to pay other expenses of, any committee, commission or other entity at any time from and after the beginning of any year and before the date of adoption by the House of the primary expense resolution providing funds to pay the expenses of that committee, commission or other entity for that year; or

(2) any resolution providing in any Congress, for all of the standing committees of the House, additional office equipment, airmail and special delivery postage stamps, supplies, staff personnel, or any other specific item for the operation of the standing committees, and containing an authorization for the payment from the contingent fund of the House of the expenses of any of the foregoing items provided by that resolution, subject to and until enactment of the provisions of the resolution as permanent law.

(d) From the funds provided for the appointment of committee staff pursuant to primary and additional expense resolutions—

(1) The chairman of each standing subcommittee of a standing committee of the House is authorized to appoint one staff member who shall serve at the pleasure of the subcommittee chairman.

(2) The ranking minority party member of each standing subcommittee on each standing committee of the House is authorized to appoint one staff person who shall serve at the pleasure of the ranking minority party member.

(3) The staff members appointed pursuant to the provisions of sub-

paragraphs (1) and (2) shall be compensated at a rate determined by the subcommittee chairman not to exceed (A) 75 per centum of the maximum established in paragraph (c) of clause 6 or (B) the rate paid the staff member appointed pursuant to subparagraph (1) of this paragraph.

(4) For the purpose of this paragraph, (A) there shall be no more than six standing subcommittees of each standing committee of the House, except for the Committee on Appropriations, and (B) no member shall appoint more than one person pursuant to the above provisions.

(5) The staff positions made available to the subcommittee chairman and ranking minority party members pursuant to subparagraphs (1) and (2) of this paragraph shall be made available from the staff positions provided under clause 6 of Rule XI unless such staff positions are made available pursuant to a primary or additional expense resolution.

(e) No primary expense resolution or additional expense resolution of a committee may provide for the payment or reimbursement of expenses incurred by any member of the committtee for travel by the member after the date of the general election of Members in which the Member is not elected to the succeeding Congress, or in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the last regular session of the Congress.

(f)(1) For continuance of necessary investigations and studies by—

(A) each standing committee and select committee established by these rules; and

(B) except as provided in subparagraph (2), each select committee established by resolution;

there shall be paid out of the contingent fund of the House such amounts as may be necessary for the the period beginning at noon on January 3 and ending at midnight on March 31 of each year.

(2) In the case of the first session of a Congress, amounts shall be made available under this paragraph for a select committee established by resolution in the preceding Congress only if—

(A) a reestablishing resolution for such select committee is introduced in the present Congress; and

(B) no resolution of the preceding Congress provided for termination of funding of investigations and studies by such select committee at or before the end of the preceding Congress.

(3) Each committee receiving amounts under this paragraph shall be entitled, for each month in the period specified in subparagraph (1), to 9 per centum (or such lesser percentum as may be determined by the Committee on House Administration) of the total annualized amount made available under expense resolutions for such committee in the preceding session of Congress.

(4) Payments under this paragraph shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, except as provided in subparagraph (5), and approved by the Committee on House Administration.

(5) Notwithstanding any provision of law, rule of the House, or other authority, from noon on January 3 of the first session of a Congress, until the election by the House of the committee involved in that Congress, payments under this paragraph shall be made on vouchers signed by —

(A) the chairman of such committee as constituted at the close of the preceding Congress; or

(B) if such chairman is not a Member in the present Congress, the ranking majority party member of such committee as constituted at the close of the preceding Congress who is a Member in the present Congress.

(6)(A) The authority of a committee to incur expenses under this paragraph shall expire upon agreement by the House to a primary expense resolution for such committee.

(B) Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Administration.

(C) The provisions of this paragraph shall be effective only insofar as not inconsistent with any resolution, reported by the Committee on House Administration and adopted after the date of adoption of these rules.

Committee Staffs

6. (a)(1) Subject to subparagraph (2) of this paragraph and paragraph (f) of this clause, each standing committee may appoint, by majority vote of the committee, not more than eighteen professional staff members. Each professional staff member appointed under this subparagraph shall be assigned to the chairman and the ranking minority party member of such committee, as the committee considers advisable.

(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence) so request, not more than six persons may be selected, by majority vote of the minority party members, for appointment by the committee as professional staff members from among the number authorized by subparagraph (1) of this paragraph. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the professional staff until such appointment is made. Each professional staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

(3) The professional staff members of each standing committee—

(A) shall be appointed on a permanent basis, without regard to race, creed, sex, or age, and solely on the basis of fitness to perform the duties of their respective positions;

(B) shall not engage in any work other than committee business; and

(C) shall not be assigned any duties other than those pertaining to committee business.

(4) Services of the professional staff members of each standing committee may be terminated by majority vote of the committee.

(5) The foregoing provisions of this paragraph do not apply to the Committee on Appropriations and to the Committee on the Budget and the provisions of subparagraphs (3) (B) and (C) do not apply to the Committee on Rules.

(b)(1) The clerical staff of each standing committee shall consist of not more than twelve clerks, to be attached to the office of the chairman, to the ranking minority party members, and to the professional staff, as the committee considers advisable. Subject to subparagraph (2) of this paragraph and paragraph (f) of this clause, the clerical staff shall be appointed by majority vote of the committee. Except as provided by subparagraph (2) of this paragraph the clerical staff shall handle committee correspondence and stenographic work both for the committee staff and for the chairman and the ranking minority party member on matters related to committee work.

(2) Subject to paragraph (f) of this clause, whenever a majority of the minority party members of a standing committee (except the Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence) so request, four persons may be selected, by majority vote of the minority party members, for appointment by the committee to positions on the clerical staff from among the number of clerks authorized by subparagraph (1) of this paragraph. The committee shall appoint to those positions any person so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members, may

select other persons for appointment by the committee to the position involved on the clerical staff until such appointment is made. Each clerk appointed under this subparagraph shall handle committee correspondence and stenographic work for the minority party members of the committee and for any members of the professional staff appointed under subparagraph (2) of paragraph (a) of this clause on matters related to committee work.

(3) Services of the clerical staff members of each standing committee may be terminated by majority vote of the committee.

(4) The foregoing provisions of this paragraph do not apply to the Committee on Appropriations and the Committee on the Budget.

(c) Each employee on the professional, clerical and investigating staff of each standing committee shall be entitled to pay at a single gross per annum rate, to be fixed by the chairman, which does not exceed the maximum rate of pay, as in effect from time to time, under applicable provisions of law.

(d) Subject to appropriations hereby authorized, the Committee on Appropriations and the Committee on the Budget may appoint such staff, in addition to the clerk thereof and assistants for the minority, as it determines by majority vote to be necessary, such personnel, other than minority assistants, to possess such qualifications as the committee may prescribe.

(e) No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on House Administration.

(f) If a request for the appointment of a minority professional staff member under paragraph (a), or a minority clerical staff member under paragraph (b), is made when no vacancy exists to which that appointment may be made, the committee nevertheless shall appoint, under paragraph (a) or paragraph (b), as applicable, the person selected by the minority and acceptable to the committee. The person so appointed shall serve as an additional member of the professional staff or the clerical staff, as the case may be, of the committee, and shall be paid from the contingent fund, until such a vacancy (other than a vacancy in the position of head of the professional staff, by whatever title designated) occurs, at which time that person shall be deemed to have been appointed to that vacancy. If such vacancy occurs on the professional staff when seven or more persons have been so appointed who are eligible to fill that vacancy, a majority of the minority party members shall designate which of those persons shall fill that vacancy.

(g) Each staff member appointed pursuant to a request by minority party members under paragraph (a) or (b) of this clause, and each staff member appointed to assist minority party members of a committee pursuant to an expense resolution described in paragraph (a) or (b) of clause 5, shall be accorded equitable treatment with respect to the fixing of his or her rate of pay, the assignment to him or her of work facilities, and the accessibility to him or her of committee records.

(h) Paragraphs (a) and (b) of this clause shall not be construed to authorize the appointment of additional professional or clerical staff members of a committee pursuant to a request under either of such paragraphs by the minority party members of that committee if six or more professional staff members or four or more clerical staff members, provided for in paragraph (a)(1) or paragraph (b)(1) of this clause, as the case may be, who are satisfactory to a majority of the minority party members, are otherwise assigned to assist the minority party members.

(i) Notwithstanding paragraphs (a)(2) and (b)(2), a committee may employ nonpartisan staff, in lieu of or in addition to committee staff designated exclusively for the majority or minority party, upon an affirmative vote of a majority of the members of the majority party and a majority of the members of the minority party.

RULE XII

RESIDENT COMMISSIONER AND DELEGATES

1. The Resident Commissioner to the United States from Puerto Rico shall be elected to serve on standing committees in the same manner as Members of the House and shall possess in such committees the same powers and privileges as the other Members.

2. The Delegate from the District of Columbia shall be elected to serve as a member of the Committee on the District of Columbia and each Delegate to the House shall be elected to serve on standing committees of the House in the same manner as Members of the House and shall possess in all committees on which he serves the same powers and privileges as the other Members.

RULE XIII

CALENDARS AND REPORTS OF COMMITTEES

1. There shall be three calendars to which all business reported from committees shall be referred, viz:

First. A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred bills raising revenue, general appropriation bills, and bills of a public character directly or indirectly appropriating money or property.

Second. A House Calendar, to which shall be referred all bills of a public character not raising revenue nor directly or indirectly appropriating money or property.

Third. A Calendar of the Committee of the Whole House, to which shall be referred all bills of a private character.

2. All reports of committees, except as provided in clause 4(a) of Rule XI, together with the views of the minority, shall be delivered to the Clerk for printing and reference to the proper calendar under the direction of the Speaker, in accordance with the foregoing clause, and the titles or subject thereof shall be entered on the Journal and printed in the Record: *Provided*, That bills reported adversely shall be laid on the table, unless the committee reporting a bill, at the time, or any Member within three days thereafter, shall request its reference to the calendar, when it shall be referred, as provided in clause 1 of this rule.

3. Whenever a commitee reports a bill or a joint resolution repealing or amending any statute or part thereof it shall include in its report or in an accompanying document—

(1) The text of the statute or part thereof which is proposed to be repealed; and

(2) A comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italic, parallel columns, other appropriate typographical devices the omissions and insertions proposed to be made: *Provided, however*, That if a committee reports such a bill or joint resolution with amendments or an amendment in the nature of a substitute for the entire bill, such report shall include a comparative print showing any changes in existing law proposed by the amendments or substitute instead of as in the bill as introduced.

4. After a bill has been favorably reported and shall be upon either the House or Union Calendar any Member may file with the Clerk a notice that he desires such bill placed upon a special calendar to be known as the "Consent Calendar". On the first and third Mondays of each month immediately after the reading of the Journal, the Speaker shall direct the Clerk to call the bills in numerical order, which have been for three legislative days upon the "Consent Calendar". Should objection be made to the consideration of any bill so called it shall be carried over on the calendar without prejudice to the next day when the "Consent Calendar" is again called, and if objected to by three or more Members it shall immediately be stricken from the calendar, and shall not thereafter during the same session of that Congress be placed again thereon: *Provided*, That no bill shall be called twice on the same legislative day.

5. There shall also be a Calendar of Motions to Discharge Committees, as provided in clause 4 of Rule XXVII.

6. Calendars shall be printed daily.

7. (a) The report accompanying each bill or joint resolution of a public character reported by any committee shall contain—

(1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported, and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years); and

(2) a comparison of the estimate of costs described in subparagraph (1) of this paragraph made by such committee with any estimate of such costs made by any Government agency and submitted to such committee.

(b) It shall not be in order to consider any such bill or joint resolution in the House if the report of the committee which reported that bill or joint resolution does not comply with paragraph (a) of this clause.

(c) For the purposes of subparagraph (2) of paragraph (a) of this clause, a Government agency includes any department, agency, establishment, wholly owned Government corporation, or instrumentality of the Federal Government or the government of the District of Columbia.

(d) The preceding provisions of this clause do not apply to the Committee on Appropriations, the Committee on House Administration, the Committee on Rules, and the Committee on Standards of Official Conduct, and do not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report pursuant to clause 2(l)(3)(C) of Rule XI.

RULE XIV

ORDER AND DEBATE

1. When any Member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker", and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personality. Debate may include references to actions taken by the Senate or by committees thereof which are a matter of public record, references to the pendency or sponsorship in the Senate of bills, resolutions, and amendments, factual descriptions relating to Senate action or inaction concerning a measure then under debate in the House, and quotations from Senate proceedings on a measure then under debate in the House and which are relevant to the making of legislative history establishing the meaning of that measure, but may not include characterizations of Senate action or inaction, other references to individual Members of the Senate, or other quotations from Senate proceedings.

2. When two or more Members rise at once, the Speaker shall name the Member who is first to speak; and no Member shall occupy more than one hour in debate on any question in the House or in committee, except as further provided in this rule.

3. The Member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one hour to close, notwithstanding he may have used an hour in opening.

4. If any Member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any Member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Member, to explain, and the House shall, if appealed to, decide on the case without debate; if the decision is in favor of the Member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case requires it, he shall be liable to censure or such punishment as the House may deem proper.

5. If a Member is called to order for words spoken in debate, the Member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

6. No Member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every Member choosing to speak shall have spoken.

7. While the Speaker is putting a question or addressing the House no Member shall walk out of or across the hall, nor, when a Member is speaking, pass between him and the Chair; and during the session of the House no Member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause. Neither shall any person be allowed to smoke upon the floor of the House at any time.

8. It shall not be in order for any Member to introduce to or to bring to the attention of the House during its sessions any occupant in the galleries of the House; nor may the Speaker entertain a request for the suspension of this rule by unanimous consent or otherwise.

RULE XV

ORDER AND ATTENDANCE ON CALLS OF THE ROLL AND HOUSE

1. Subject to clause 5 of this Rule, upon every roll call the names of the Members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such Members from the same State, the whole name shall be called, and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting. Members appearing after the second call, but before the result is announced, may vote or announce a pair.

2. (a) In the absence of a quorum, fifteen Members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent Members; and those for whom no sufficient excuse is made may, by order of a majority of those present, subject to clause 6(e)(2) of this rule be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

(b) Subject to clause 5 of this rule, when a call of the House in the absence of a quorum is ordered, the Speaker shall name one or more clerks to tell the Members who are present. The names of those present shall be recorded by such clerks, and shall be entered in the Journal and the absentees noted, but the doors shall not be closed except when so ordered by the Speaker. Members shall have not less than fifteen minutes from the ordering of a call of the House to have their presence recorded.

3. On the demand of any Member, or at the suggestion of the Speaker, the names of Members sufficient to make a quorum in the Hall of the House who do not vote shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the Members voting, and be counted and announced in determining the presence of a quorum to do business.

4. Subject to clause 5 of this rule, whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the House shall adjourn there shall be a call of the House, and the Sergeant-at-Arms shall forthwith proceed to bring in absent Members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Clerk shall call the roll, and each Member as he

answers to his name may vote on the pending question, and, after the roll-call is completed, each Member arrested shall be brought by the Sergeant-at-Arms before the House, whereupon he shall be noted as present, discharged from arrest and given an opportunity to vote and his vote shall be recorded. If those voting on the question and those who are present and decline to vote shall together make a majority of the House, the Speaker shall declare that a quorum is constituted, and the pending question shall be decided as the majority of those voting shall appear. And thereupon further proceedings under the call shall be considered as dispensed with. At any time after the roll call has been completed, the Speaker may entertain a motion to adjourn, if seconded by a majority of those present, to be ascertained by actual count by the Speaker; and if the House adjourns, all proceedings under this section shall be vacated.

5. Unless, in his discretion, the Speaker orders the calling of the names of Members in the manner provided for under the preceding provisions of this rule, upon any roll call or quorum call the names of such Members voting or present shall be recorded by electronic device. In any such case, the Clerk shall enter in the Journal and publish in the Congressional Record, in alphabetical order in each category, a list of names of those Members recorded as voting in the affirmative, of those Members recorded as voting in the negative, and of those Members answering present, as the case may be, as if their names had been called in the manner provided for under such preceding provisions. Members shall have not less than fifteen minutes from the ordering of the roll call or quorum call to have their vote or presence recorded. The Speaker may, in his discretion, announce after a roll call vote has been ordered on an amendment reported from the Committee of the Whole House on the state of the Union, that he may reduce to not less than five minutes the period of time in which a roll call vote, if ordered, will be taken by electronic device on any other subsequent amendment to that bill or resolution reported from the Committee of the Whole. In like manner, the Speaker may, in his discretion, announce after a roll call vote has been ordered on a motion to recommit a bill, resolution or coference report thereon, that he may reduce to not less than five minutes the period of time in which a roll call vote, if ordered, will be taken by electronic device on the question of passage or adoption, as the case may be, on such bill, resolution or conference report thereon if the question on final passage or adoption follows without intravening business the vote on the question of recommital.

6. (a) It shall not be in order to make or entertain a point of order that a quorum is not present—

(1) before or during the offering of prayer;

(2) during the administration of the oath of office to the Speaker or Speaker pro tempore or a Member, Delegate, or Resident Commissioner;

(3) during the reception of any message from the President of the United States or the United States Senate; and

(4) during the offering, consideration, and disposition of any motion incidental to a call of the House.

(b) A quorum shall not be required in Committee of the Whole for agreement to a motion that the Committee rise.

(c) After the presence of a quorum is once ascertained on any day on which the House is meeting, a point of order of no quorum may not be made or entertained—

(1) during the reading of the Journal;

(2) during the period after a Committee of the Whole has risen after completing its consideration of a bill or resolution and before the Chairman of the Committee has reported the bill or resolution back to the House; and

(3) during any period of a legislative day when the Speaker is recognizing Members (including a Delegate or Resident Commissioner) to address the House under special orders, with no measure or matter then under consideration for disposition by the House.

(d) When the presence of a quorum is ascertained, a further point of order that a quorum is not present may not thereafter be made or entertained until additional business intervenes. For purposes of this paragraph, the term "business" does not include any matter, proceeding, or period referred to in paragraph (a), (b), or (c) of this clause for which a quorum is not required or a point of order of no quorum may not be made or entertained.

(e)(1) Except as provided by subparagraph (2), it shall not be in order to make or entertain a point of order that a quorum is not present unless the Speaker has put the pending motion or proposition to a vote.

(2) Notwithstanding subparagraph (1), it shall always be in order for a Member to move a call of the House when recognized for that purpose by the Speaker, and when a quorum has been established pursuant to a call of the House, further proceedings under the call shall be considered as dispensed with unless the Speaker, in his discretion, recognizes for a motion under clause (2)(a) of this rule or for a motion to dispense with further proceedings under the call.

RULE XVI

ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any Member, and shall be entered on the Journal with the name of the Member making it, unless it is withdrawn the same day.

2. When a motion has been made, the Speaker shall state it or (if it be in writing) cause it to be read aloud by the Clerk before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

3. When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a Member.

4. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer, or to amend, or postpone indefinitely; which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question. After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order, and the Speaker shall give preference in recognition for such purpose to a Member who is opposed to the bill or joint resolution. However, with respect to any motion to recommit with instructions after the previous question shall have been ordered, it always shall be in order to debate such motion for ten minutes before the vote is taken on that motion, except that on demand of the floor manager for the majority it shall be in order to debate such motion for one hour. One half of any debate on such motions shall be given to debate by the mover of the motion and one half to debate in opposition to the motion. It shall be in order at any time during a day for the Speaker, in his discretion, to entertain motions that (1) the Speaker be authorized to declare a recess; and (2) when the House adjourns it stand adjourned to a day and time certain. Either motion shall be of equal privilege with the motion to adjourn provided for in this clause and shall be determined without debate.

5. The hour at which the House adjourns shall be entered on the Journal.

6. On the demand of any Member, before the question is put, a question shall be divided if it includes propositions so distinct in substance that one being taken away a substantive proposition shall remain: *Provided*, That any motion or resolution to elect the members or any portion of the mem-

bers of the standing committees of the House and the joint standing committees shall not be divisable, nor shall any resolution or order reported by the Committee on Rules, providing a special order of business be divisible.

7. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other motion until the vote is taken on suspension.

9. At any time after the reading of the Journal it shall be in order, by direction of the appropriate committees, to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue, or general appropriation bills.

10. No dilatory motion shall be entertained by the Speaker.

Rule XVII

previous question

1. There shall be a motion for the previous question, which, being ordered by a majority of Members voting, if a quorum be present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

3. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

Rule XVIII

reconsideration

1. When a motion has been made and carried or lost, it shall be in order for any member of the majority, on the same or succeeding day, to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report or a motion to adjourn, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any Member may call it up for consideration: *Provided*, That such motion, if made during the last six days of a session, shall be disposed of when made.

2. No bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing and recommitment, shall be brought back into the House on a motion to reconsider; and all bills, petitions, memorials, or resolutions reported from a committee shall be accompanied by reports in writing, which shall be printed.

Rule XIX

of amendments

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution shall not be in order until after its passage, and shall be decided without debate.

Rule XX

of amendments of the senate

1. Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the state of the Union, if, originating in the House, it would be subject to that point: *Provided, however*, That a motion to disagree with the amendments of the Senate to a House bill or resolution and request or agree to a conference with the Senate, or a motion to insist on the House amendments to a Senate bill or resolution and request or agree to a conference with the Senate, shall always be in order if the Speaker, in his discretion, recognizes for that purpose and if the motion is made by direction of the committee having jurisdiction of the subject matter of the bill or resolution.

2. No amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of Rule XXI, if said amendment had originated in the House, nor any amendment of the Senate providing for an appropriation upon any bill other than a general appropriation bill, shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment.

Rule XXI

on bills

1. Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker shall state, the question to be: Shall the bill be engrossed and read a third time, and, if decided in the affirmative, it shall be read the third time by title, and the question shall then be put upon its passage.

2. (a) No appropriation shall be reported in any general appropriation bill, or shall be in order as an amendment thereto, for any expenditure not previously authorized by law, except to continue appropriations for public works and objects which are already in progress.

(b) No provision changing existing law shall be reported in any general appropriation bill except germane provisions which retrench expenditures by the reduction of amounts of money covered by the bill, which may include those recommended to the Committee on Appropriations by direction of any legislative committee having jurisdiction over the subject matter thereof, and except rescissions of appropriations contained in appropriations Acts.

(c) No amendment to a general appropriation bill shall be in order if changing existing law. Except as provided in paragraph (d), no amendment shall be in order during consideration of a general appropriation bill proposing a limitation not specifically contained or authorized in existing law for the period of the limitation.

(d) After a general appropriation bill has been read for amendment and amendments not precluded by paragraphs (a) or (c) of this clause have been considered, motions that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall have precedence over motions to further amend the bill. If any such motion is rejected, amendments proposing limitations not specifically contained or authorized in existing law for the period of the limitation or proposing germane amendments which retrench expenditures by reduction of amounts of money covered by the bill may be considered; but after the vote on any such amendment, the privileged motion made in order under this paragraph may be renewed.

3. A report from the Committee on Appropriations accompanying any general appropriation bill making an appropriation for any purpose shall contain a concise statement describing fully the effect of any provision of the accompanying bill which directly or indirectly changes the application of existing law.

4. No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other

than the following committees, namely: To the Committee on Foreign Affairs or to the Committee on the Judiciary.

5. (a) No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time.

(b) No bill or joint resolution carrying a tax or tariff measure shall be reported by any committee not having jurisdiciton to report tax and tariff measures, nor shall an amendment in the House or proposed by the Senate carrying a tax or tariff measure be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on a tax or tariff measure in any such bill, joint resolution, or amendment thereto may be raised at any time.

6. No general appropriation bill or amendment thereto shall be received or considered if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced, and shall not apply to transfers of unexpended balances within the department or agency for which they were originally appropriated, reported by the Committee on Appropriations.

7. No general appropriation bill shall be considered in the House until printed committee hearings and a committee report thereon have been available for the Members of the House for at least three calendar days (excluding Saturdays, Sundays, and legal holidays).

8. It shall not be in order to consider a bill, joint resolution, or conference report providing, increasing, or decreasing receipts or direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985), unless the conference report or bill or joint resolution as reported contains the following statement of law: "The applicable cost estimate of this Act for all purposes of sections 252 and 253 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be as follows: .". The blank shall be filled with a cost estimate provided by the Congressional Budget Office (prepared in consultation with the Joint Committee on Taxation where appropriate pursuant to section 201(g) of the Congressional Budget Act of 1974). The cost estimate shall be in writing and shall be signed, and shall contain an estimate of the amount of the change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1995, resulting from the conference report or bill or joint resolution as reported.

Rule XXII

Of petitions, memorials, bills, and resolutions

1. Members having petitions or memorials or bills of a private nature to present may deliver them to the Clerk, indorsing their names and reference or disposition to be made thereof; and said petitions and memorials and bills of a private nature, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal, with the names of the Members presenting them, and the Clerk shall furnish a transcript of such entry to the official reporters of debates for publication in the Record.

2. No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Tort Claims Procedure as provided in title 28, United States Code, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered in the House.

3. Any petition or memorial or private bill excluded under this rule shall be returned to the Member from whom it was received; and petitions and private bills which have been inappropriately referred may, by the direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

4. (a) All other bills, memorials, and resolutions may, in like manner, be delivered, indorsed with the names of Members introducing them, to the Speaker, to be by him referred, and the titles and references thereof and of all bills, resolutions, and documents referred under the rules shall be entered on the Journal and printed in the Record of the next day, and correction in case of error of reference may be made by the House, without debate, in accordance with Rule X, on any day immediately after the reading of the Journal, by unanimous consent, or on motion of a committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred. Two or more Members may introduce jointly any bill, or resolution to which this paragraph applies.

(b)(1) The name of any Member shall be added as a sponsor of any bill or resolution to which paragraph (a) applies, and shall appear as a sponsor in the next printing of that bill or resolution: *Provided*, That a request signed by such Member is submitted by the first sponsor to the Speaker (in the same manner as provided in paragraph (a)) no later than the day on which the last committee authorized to consider and report such bill or resolution reports it to the House.

(2) The name of any Member listed as a sponsor of any such bill or resolution may be deleted by unanimous consent, but only at the request of such Member, and such deletion shall be indicated in the next printing of the bill or resolution (together with the date on which such name was deleted). Such consent may be granted no later than the day on which the last committee authorized to consider and report such bill or resolution reports it to the House: *Provided, however*, That the Speaker shall not entertain a request to delete the name of the first sponsor of any bill or resolution.

(3) The addition of the name of any Member, or the deletion of any name by unanimous consent, of a sponsor of any such bill or resolution shall be entered on the Journal and printed in the Record of that day.

(4) Any such bill or resolution shall be reprinted (A) if the Member whose name is listed as the first sponsor submits to the Speaker a written request that it be reprinted, and (B) if twenty or more Members have been added as sponsors of that bill or resolution since it was last printed.

5. All resolutions of inquiry addressed to the heads of executive departments shall be reported to the House within fourteen legislative days after presentation.

6. When a bill, resolution, or memorial is introduced "by request", these words shall be entered upon the Journal and printed in the Record.

Rule XXIII

Of committees of the whole house

1. (a) In all cases, in forming a Committee of the Whole House, the Speaker shall leave his chair after appointing a Chairman to preside, who shall, in case of disturbance or disorderly conduct in the galleries or lobby, have power to cause the same to be cleared.

(b) After the House has adopted a special order of business resolution reported by the Committee on Rules providing for the consideration of a measure in the Committee of the Whole House on the state of the Union, the Speaker may at any time within his discretion, when no question is pending before the House, declare the House resolved into the committee of the Whole House on the state of the Union for the consideration of that measure without intervening motion, unless the resolution in question provides otherwise.

2. (a) A quorum of a Committee of the Whole shall consist of one hundred Members. The first time that a Committee of the Whole finds itself without a quorum during any day, the Chairman shall invoke the procedure for the call of the roll under clause 5 of Rule XV, unless, in his discretion, he orders a call of the Committee to be taken by the procedure set forth in clause 1 or clause 2(b) of Rule XV: *Provided*, That the Chairman may in his discretion refuse to entertain a point of order that a quorum is not present during general debate only. If on such call, a quorum shall appear, the Committee shall continue its business; but if a quorum does not appear, the Committee shall rise and the Chairman shall report the names of the absentees to the House. After the roll has been once called to establish a quorum during such day, the Chairman may not entertain a point of order that a quorum is not present unless the Committee is operating under the five-minute rule and the Chairman has put the pending motion or proposition to a vote; and if the Chairman sustains a point of order that a quorum is not present after putting the question on such a motion or proposition, he may announce that following a regular quorum call conducted pursuant to the previous provisions of this clause, he will reduce to not less than five minutes the period of time within which a recorded vote on the pending question may be taken if such a vote is ordered. If, at any time during the conduct of any quorum call in a Committee of the Whole, the Chairman determines that a quorum is present, he may, in his discretion and subject to his prior announcement, declare that a quorum is constituted. Proceedings under the call shall then be considered as vacated, and the Committee shall not rise but shall continue its sitting and resume its business.

(b) In the Committee of the Whole, the Chair shall order a recorded vote on request supported by at least twenty-five Members.

(c) In the Committee of the Whole, the Chairman may, in his discretion, reduce to not less than five minutes the period of time within which a roll-call vote by electronic device may be taken without any intervening business or debate on any or all pending amendments after the vote has been taken on the first pending amendment.

3. All motions or propositions involving a tax or charge upon the people, all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, or referring any claim to the Court of Claims, shall be first considered in a Committee of the Whole, and a point of order under this rule shall be good at any time before the consideration of a bill has commenced.

4. In Committees of the Whole House business on their calendars may be taken up in regular order, or in such order as the committee may determine, unless the bill to be considered was determined by the House at the time of going into committee, but bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors shall have precedence.

5. (a) When general debate is closed by order of the House, any Member shall be allowed five minutes to explain any amendment he may offer, after which the Member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon, but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment; and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by the unanimous consent of the committee. Upon the offering of any amendment by a Member, when the House is meeting in the Committee of the Whole, the Clerk shall promptly transmit to the majority committee table five copies of the amendment and five copies to the minority committee table. Further, the Clerk shall deliver at least one copy of the amendment to the majority cloak room and at least one copy to the minority cloak room.

(b) It shall be in order to move in the Committee of the Whole to dispense with the reading of an amendment if the amendment has been printed in the bill as reported from a committee, or if any Member shall have caused the amendment to be printed in the Congressional Record, and to be submitted to the Clerk, or to any responsible staff member designated by the Chairman, of the reporting committee or committees, at least one day prior to floor consideration, and said motion shall be decided without debate.

6. The committee may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph of a bill, close all debate upon such section or paragraph or, at its election, upon the pending amendments only (which motion shall be decided without debate); but this shall not preclude further amendment, to be decided without debate. However, if debate is closed on any section or paragraph under this clause before there has been debate on any amendment which any Member shall have caused to be printed in the Congressional Record after the reporting of the bill by the committee but at least one day prior to floor consideration of such amendment, the Member who caused such amendment to be printed in the Record shall be given five minutes in which to explain such amendment, after which the first person to obtain the floor shall be given five minutes in opposition to it, and there shall be no further debate thereon; but such time for debate shall not be allowed when the offering of such amendment is dilatory. Material placed in the Record pursuant to this provision shall indicate the full text of the proposed amendment, the name of the proponent Member, the number of the bill to which it will be offered and the point in the bill or amendment thereto where the amendment is intended to be offered, and shall appear in a portion of the Record designated for that purpose.

7. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House, but before the question of concurrence is submitted it is in order to entertain a motion to refer the bill to any committee, with or without instructions, and when the same is again reported to the House it shall be referred to the Committee of the Whole without debate.

8. At the conclusion of general debate in a Committee of the Whole on any concurrent resolution on the budget pursuant to section 305(a) of the Congressional Budget Act of 1974, the concurrent resolution shall be considered as having been read for amendment. It shall not be in order in the House or in a Committee of the Whole to consider an amendment to a concurrent resolution on the budget, or any amendment to an amendment thereto, unless the concurrent resolution as amended by such amendment or amendments: (a) would be mathematically consistent (except to the extent that the amendment involved is limited by the third sentence of this clause); and (b) would contain all the matter set forth in paragraphs (1) through (5) of section 301(a) of the Congressional Budget Act of 1974. It shall not be in order in the House or in a Committee of the Whole to consider an amendment to a concurrent resolution on the budget, or any amendment to an amendment thereto, which changes the amount of the appropriate level of the public debt set forth in the concurrent resolution as reported; except that the amendments to achieve mathematical consistency which are permitted under section

305(a)(6) of the Congressional Budget Act of 1974 may include an amendment, offered by or at the direction of the Committee on the Budget, to adjust the amount of such level to reflect any changes made in the other figures contained in the resolution.

9. The rules of proceeding in the House shall be observed in Committees of the Whole House so far as they may be applicable.

RULE XXIV

ORDER OF BUSINESS

1. The daily order of business shall be as follows:

First. Prayer by the Chaplain.

Second. Reading and approval of the Journal, unless postponed pursuant to the provisions of clause 5(b)(1) of rule I.

Third. Correction of reference of public bills.

Fourth. Disposal of business on the Speaker's table.

Fifth. Unfinished business.

Sixth. The morning hour for the consideration of bills called up by committees.

Seventh. Motions to go into Committee of the Whole House on the state of the Union.

Eighth. Orders of the day.

2. Business on the Speaker's table shall be disposed of as follows:

Messages from the President shall be referred to the appropriate committees without debate. Reports and communications from heads of departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner and with the same right of correction as public bills presented by Members; but House bills with Senate amendments which do not require consideration in a Committee of the Whole may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House bills already favorably reported by a committee of the House, and not required to be considered in Committee of the Whole, be disposed of in the same manner on motion directed to be made by such committee.

3. The consideration of the unfinished business in which the House may be engaged at an adjournment, except business in the morning hour, shall be resumed as soon as the business on the Speaker's table is finished, and at the same time each day thereafter until disposed of, and the consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.

4. After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order, and then select committees, and each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business, he shall resume the next call where he left off, giving preference to the last bill under consideration: *Provided*, That whenever any committee shall have occupied the morning hour on two days, it shall not be in order to call up any other bill until the other committees have been called in their turn.

5. After one hour shall have been devoted to the consideration of bills called up by committees, it shall be in order, pending consideration or discussion thereof, to entertain a motion to go into Committee of the Whole House on the state of the Union, or, when authorized by a committee, to go into the Committee of the Whole House on the state of the Union to consider a particular bill, to which motion one amendment only, designating another bill, may be made; and if either motion be determined in the negative, it shall not be in order to make either motion again until the disposal of the matter under consideration or discussion.

6. On the first Tuesday of each month after disposal of such business on the Speaker's table as requires reference only, the Speaker shall direct the Clerk to call the bills and resolutions on the Private Calendar. Should objection be made by two or more Members to the consideration of any bill or resolution so called, it shall be recommitted to the committee which reported the bill or resolution, and no reservation of objection shall be entertained by the Speaker. Such bills and resolutions, if considered, shall be considered in the House as in the Committee of the Whole. No other business shall be in order on this day unless the House, by two-thirds vote on motion to dispense therewith, shall otherwise determine. On such motion debate shall be limited to five minutes for and five minutes against said motion.

On the third Tuesday of each month after the disposal of such business on the Speaker's table as requires reference only, the Speaker may direct the Clerk to call the bills and resolutions on the Private Calendar, preference to be given to omnibus bills containing bills or resolutions which have previously been objected to on a call of the Private Calendar. All bills and resolutions on the Private Calendar so called, if considered, shall be considered in the House as in the Committee of the Whole. Should objection be made by two or more Members to the consideration of any bill or resolution other than an omnibus bill, it shall be recommitted to the committee which reported the bill or resolution and no reservation of objection shall be entertained by the Speaker.

Omnibus bills shall be read for amendment by paragraph, and no amendment shall be in order except to strike out or to reduce amounts of money stated or to provide limitations. Any item or matter stricken from an omnibus bill shall not thereafter during the same session of Congress be included in any omnibus bill.

Upon passage of any such omnibus bill, said bill shall be resolved into the several bills and resolutions of which it is composed, and such original bills and resolutions, with any amendments adopted by the House, shall be engrossed, where necessary, and proceedings thereon had as if said bills and resolutions had been passed in the House severally.

In the consideration of any omnibus bill the proceedings as set forth above shall have the same force and effect as if each Senate and House bill or resolution therein contained or referred to were considered by the House as a separate and distinct bill or resolution.

7. On Wednesday of each week no business shall be in order except as provided by clause 4 of this rule unless the House by a two-thirds vote on motion to dispense therewith shall otherwise determine. On such a motion there may be debate not to exceed five minutes for and against. On a call of committees under this rule bills may be called up from either the House or the Union Calendar, excepting bills which are privileged under the rules; but bills called up from the Union Calendar shall be considered in the Committee of the Whole House on the state of the Union. This rule shall not apply during the last 2 weeks of the session. It shall not be in order for the Speaker to entertain a motion for a recess on any Wednesday except during the last 2 weeks of the session: *Provided*, That not more that 2 hours of general debate shall be permitted on any measure called up on Calendar Wednesday, and all debate must be confined to the subject matter of the bill, the time to be equally divided between those for and against the bill: *Provided further*, That whenever any committee shall have occupied one Wednesday it shall not be in order, unless the House by a two-thirds vote shall otherwise determine, to consider any unfinished business previously called up by such committee, unless the previous question had been ordered thereon, upon any succeeding Wednesday until the other committees have been called in their turn under this rule: *Provided*, That when, during any one session of a Congress, all of the committees of the House are not called under the Calendar Wednesday rule, at the next session of that Congress, the call shall commence where it left off at the end of the preceding session.

8. The second and fourth Mondays in each month, after the disposition of motions to discharge committees and after the disposal of such business on the Speaker's table as requires refer-

ence only, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

RULE XXV

PRIORITY OF BUSINESS

All questions relating to the priority of business shall be decided by a majority without debate.

RULE XXVI

UNFINISHED BUSINESS OF THE SESSION

All business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place.

RULE XXVII

CHANGE OR SUSPENSION OF RULES

1. No rule shall be suspended except by a vote of two-thirds of the Members voting, a quorum being present; nor shall the Speaker entertain a motion to suspend the rules except on Mondays and Tuesdays, and during the last six days of a session.

2. When a motion to suspend the rules has been submitted to the House, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for forty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition; and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

3. A Member may present to the Clerk a motion in writing to discharge a committee from the consideration of a public bill or resolution which has been referred to it thirty days prior thereto (but only one motion may be presented for each bill or resolution). Under this rule it shall also be in order for a Member to file a motion to discharge the Committee on Rules from further consideration of any resolution providing either a special order of business, or a special rule for the consideration of any public bill or resolution favorably reported by a standing committee, or a special rule for the consideration of a public bill or resolution which has remained in a standing committee thirty or more days without action: *Provided*, That said resolution from which it is moved to discharge the Committee on Rules has been referred to that committee at least seven days prior to the filing of the motion to discharge. The motion shall be placed in the custody of the Clerk, who shall arrange some convenient place for the signature of Members. A signature may be withdrawn by a Member in writing at any time before the motion is entered on the Journal. When a majority of the total membership of the House shall have signed the motion, it shall be entered on the Journal, printed with the signatures thereto in the Congressional Record, and referred to the Calendar of Motions to Discharge Committees.

On the second and fourth Mondays of each month, except during the last six days of any session of Congress, immediately after the approval of the Journal, any Member who has signed a motion to discharge which has been on the calendar at least seven days prior thereto, and seeks recognition, shall be recognised for the purpose of calling up the motion, and the House shall proceed to its consideration in the manner herein provided without intervening motion except one motion to adjourn. Recognition for the motions shall be in the order in which they have been entered on the Journal.

When any motion under this rule shall be called up the bill or resolution shall be read by title only. After twenty minutes' debate, one-half in favor of the proposition and one-half in opposition thereto, the House shall proceed to vote on the motion to discharge. If the motion prevails to discharge the Committee on Rules from any resolution pending before the committee, the House shall immediately consider such resolution, the Speaker not entertaining any dilatory motion except one motion to adjourn, and, if such resolution is adopted, the House shall immediately proceed to its execution. If the motion prevails to discharge one of the standing committees of the House from any public bill or resolution pending before the committee, it shall then be in order for any Member who signed the motion to move that the House proceed to the immediate consideration of such bill or resolution (such motion not being debatable), and such motion is hereby made of high privilege; and if it shall be decided in the affirmative, the bill shall be immediately considered under the general rules of the House, and if unfinished before adjournment of the day on which it is called up it shall remain the unfinished business until it is fully disposed of. Should the House by vote decide against the immediate consideration of such bill or resolution, it shall be referred to its proper calendar and be entitled to the same rights and privileges that it would have had had the committee to which it was referred duly reported same to the House for its consideration: *Provided*, That when any perfected motion to discharge a committee from the consideration of any public bill or resolution has once been acted upon by the House it shall not be in order to entertain during the same session of Congress any other motion for the discharge from that committee of said measure, or from any other committee of any other bill or resolution substantially the same, relating in substance to or dealing with the same subject matter, or from the Committee on Rules of a resolution providing a special order of business for the consideration of any other such bill or resolution, in order that such action by the House on a motion to discharge shall be res adjudicata for the remainder of that session: *Provided further*, That if before any one motion to discharge a committee has been acted upon by the House there are on the Calendar of Motions to Discharge Committees other motions to discharge committees from the consideration of bills or resolutions substantially the same, relating in substance to or dealing with the same subject matter, after the House shall have acted on one motion to discharge, the remaining said motions shall be stricken from the Calendar of Motions to Discharge Committees and not acted on during the remainder of that session of Congress.

RULE XXVIII

CONFERENCE REPORTS

1. (a) The presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called, or the House is dividing on any proposition.

(b) The time allotted for debate on any motion to instruct House conferees shall be equally divided between the majority and minority parties, except that if the proponent of the motion and the Member from the other party are both supporters of the motion, one-third of such debate time shall be allotted to a Member who is opposed to said motion.

(c) After House conferees on any bill or resolution in conference between the House and Senate shall have been appointed for twenty calendar days and shall have failed to make a report, it is hereby declared to be a motion of the highest privilege to move to discharge said House conferees and to appoint new conferees, or to instruct said House conferees (but only on the day after the calendar day on which the Member making the motion announces to the House his intention to do so and the form of the motion); and, further, during the last six days of any session of Congress, it shall be a privileged motion to move to discharge, appoint, or instruct, House conferees after House conferees shall have been appointed thirty-six hours without having made a report.

(d) Each report made by a committee of conference to the House shall be printed as a report of the House. As so printed, such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of the House and the conferees on the part of the Senate. Such statement shall be sufficiently detailed and explicit to inform the House as to the effect which the amendments or propositions contained in such report will have upon the measure to which those amendments or propositions relate.

2. (a) It shall not be in order to consider the report of a committee of conference until the third calendar day (excluding any Saturday, Sunday, or legal holiday) after such report and the accompanying statement shall have been filed in the House, and such consideration then shall be in order only if such report and accompanying statement shall have been printed in the daily edition of the Congressional Record for the day on which such report and statement shall have been filed; but the preceding provisions of this sentence do not apply during the last six days of the session. Nor shall it be in order to consider any conference report unless copies of the report and accompanying statement have been available to Members for at least two hours before the beginning of such consideration: *Provided however*, That it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b), Rule XI, a report from the Committee on Rules only making in order the consideration of a conference report notwithstanding this restriction. The time allotted for debate in the consideration of any such report shall be equally divided between the majority party and the minority party, except that if the floor manager for the majority and the floor manager for the minority are both supporters of the conference report, one third of such time shall be allotted to a Member who is opposed to said conference report.

(b) It shall not be in order to consider any amendment (including an amendment in the nature of a substitute) proposed by the Senate to any measure reported in disagreement between the two Houses by a report of a committee of conference that the committee has been unable to agree, until the third calendar day (excluding any Saturday, Sunday, or legal holiday) after such report and accompanying statement shall have been filed in the House, and such consideration then shall be in order only if such report and accompanying statement shall have been printed in the daily edition of the Congressional Record for the day on which such report and statement shall have been filed; but the preceding provisions of this sentence do not apply during the last six days of the session. Nor shall it be in order to consider any such amendment unless copies of the report and accompanying statement, together with the text of such amendment, have been available to Members for at least two hours before the beginning of such consideration: *Provided however*, That it shall always be in order to call up for consideration, notwithstanding the provisions of clause 4(b), Rule XI, a report from the Committee on Rules only making in order the consideration of such an amendment notwithstanding this restriction.

The time allotted for debate on any such amendment shall be equally divided between the majority party and the minority party, except that if the floor manager for the majority and the floor manager for the minority are both supporters of the original motion offered by the floor manager for the majority to dispose of the amendment, one third of such debate time shall be allotted to a Member who is opposed to said motion.

(c) Any conference report and Senate amendment in disagreement which has been available as provided in paragraphs (a) and (b) of this clause shall be considered as having been read when called up for consideration.

3. Whenever a disagreement to an amendment in the nature of a substitute has been committed to a conference committee it shall be in order for the Managers on the part of the House to propose a substitute which is a germane modification of the matter in disagreement, but the introduction of any language in that substitute presenting a specific additional topic, question, issue, or proposition not committed to the conference committee by either House shall not constitute a germane modification of the matter in disagreement. Moreover, their report shall not include matter not committed to the conference committee by either House, nor shall their report include a modification of any specific topic, question, issue, or proposition committed to the conference committee by either or both Houses if that modification is beyond the scope of that specific topic, question, issue, or proposition as so committed to the conference committee.

4. (a) With respect to any report of a committee of conference called up before the House containing any matter which would be in violation of the provisions of clause 7 of Rule XVI if such matter had been offered as an amendment in the House, and which—

(1) is contained in any Senate amendment to that measure (including a Senate amendment in the nature of substitute for the text of that measure as passed by the House) accepted by the House conferees or agreed to by the conference committee with modification; or

(2) is contained in any substitute agreed to by the conference committee; it shall be in order, at any time after the reading of the report has been completed or dispensed with and before the reading of the statement, or immediately upon consideration of a conference report if clause 2(c) of this rule applies, to make a point of order that such nongermane matter, as described above, which shall be specified in the point of order, is contained in the report.

For the purposes of this clause, matter which—

(A) is contained in any substitute agreed to by the conference committee;

(B) is not proposed by the House to be included in the measure concerned as passed by the House; and

(C) would be in violation of clause 7 of Rule XVI if such matter had been offered in the House as an amendment to the provisions of that measure as so proposed in the form passed by the House;

shall be considered in violation of such clause 7.

(b) If such point of order is sustained, it then shall be in order for the Chair to entertain a motion, which is of high privilege, that the House reject the nongermane matter covered by the point of order. It shall be in order to debate such motion for forty minutes, one-half of such time to be given to debate in favor of, and one-half in opposition to, the motion.

(c) Notwithstanding the final disposition of any point of order made under paragraph (a), or of any motion to reject made pursuant to a point of order under paragraph (b), of this clause, it shall be in order to make further points of order on the ground stated in such paragraph (a), and motions to reject pursuant thereto under such paragraph (b), with respect to other nongermane matter in the report of the committee of conference not covered by any previous point of order which has been sustained.

(d) If any such motion to reject has been adopted, after final disposition of all points of order and motions to reject under the preceding provisions of this clause, the conference report shall be considered as rejected and the question then pending before the House shall be—

(1) whether to recede and concur in the Senate amendment with an amendment which shall consist of that portion of the conference report not rejected; or

(2) if the last sentence of paragraph (a) of this clause applies, whether to insist further on the House amendment.

If all such motions to reject are defeated, then, after the allocation of time for debate on the conference report as provided in clause 2(a) of this Rule, it shall be in order to move the previous question on the adoption of the conference report.

5. (a)(1) With respect to any amendment (including an amendment in the nature of a substitute) which—

(A) is proposed by the Senate to any measure and thereafter—

(i) is reported in disagreement between the two Houses by a committee of conference; or

(ii) is before the House, the stage of disagreement having been reached; and

(B) contains any matter which would be in violation of the provisions of clause 7 of Rule XVI if such

matter had been offered as an amendment in the House;

it shall be in order, immediately after a motion is offered that the House recede from its disagreement to such amendment proposed by the Senate and concur therein and before debate is commenced on such motion, to make a point of order that such nongermane matter, as described above, which shall be specified in the point of order, is contained in such amendment proposed by the Senate.

(2) If such point of order is sustained, it then shall be in order for the Chair to entertain a motion, which is of high privilege, that the House reject the nongermane matter covered by the point of order. It shall be in order to debate such motion for forty minutes, one-half of such time to be given to debate in favor of, and one-half in opposition to, the motion.

(3) Notwithstanding the final disposition of any point of order made under subparagraph (1), or of any motion to reject made pursuant to a point of order under subparagraph (2), of this paragraph, it shall be in order to make further points of order on the ground stated in such subparagraph (1), and motions to reject pursuant thereto under such subparagraph (2), with respect to other nongermane matter in the amendment proposed by the Senate not covered by any previous point of order which has been sustained.

(4) If any such motion to reject has been adopted, after final disposition of all points of order and motions to reject under the preceding provisions of this clause, the motion to recede and concur shall be considered as rejected, and further motions—

(A) to recede and concur in the Senate amendment with an amendment, where appropriate (but the offering of which is not in order unless copies of the language of the Senate amendment, as proposed to be amended by such motion, are then available on the floor when such motion is offered and is under consideration);

(B) to insist upon disagreement to the Senate amendment and request a further conference with the Senate; and

(C) to insist upon disagreement to the Senate amendment;

shall remain of high privilege for consideration by the House. If all such motions to reject are defeated, then, after the allocation of time for debate on the motion to recede and concur as provided in clause 2(b) of this Rule, it shall be in order to move the previous question on such motion.

(b)(1) With respect to any such amendment proposed by the Senate as described in paragraph (a) of this clause, it shall not be in order to offer any motion that the House recede from its disagreement to such Senate amendment and concur therein with an amendment, unless copies of the language of the Senate amendment, as proposed to be amended by such motion, are then available on the floor when such motion is offered and is under consideration.

(2) Immediately after any such motion is offered and is in order and before debate is commenced on such motion, it shall be in order to make a point of order that nongermane matter, as described in subparagraph (1) of paragraph (a) of this clause, which shall be specified in the point of order, is contained in the language of the Senate amendment, as proposed to be amended by such motion, copies of which are then available on the floor.

(3) If such point of order is sustained, it then shall be in order for the Chair to entertain a motion, which is of high privilege, that the House reject the nongermane matter covered by the point of order. It shall be in order to debate such motion for forty minutes, one-half of such time to be given to debate in favor of, and one-half in opposition to, the motion.

(4) Notwithstanding the final disposition of any point of order under subparagraph (2), or of any motion to reject made pursuant to a point of order under subparagraph (3), of this paragraph, it shall be in order to make further points of order on the ground stated in subparagraph (1) of paragraph (a) of this clause, and motions to reject pursuant thereto under subparagraph (3) of this paragraph, with respect to other nongermane matter in the language of the Senate amendment, as proposed to be amended by the motion described in subparagraph (1) of this paragraph, not covered by any previous point of order which has been sustained.

(5) If any such motion to reject has been adopted, after final disposition of all points of order and motions to reject under the preceding provisions of this paragraph, the motion to recede and concur in the Senate amendment with an amendment shall be considered as rejected, and further motions—

(A) to recede and concur in the Senate amendment with an amendment, where appropriate (but the offering of which is not in order unless copies of the language of the Senate amendment, as proposed to be amended by such motion, are then available on the floor when such motion is offered and is under consideration);

(B) to insist upon disagreement to the Senate amendment and request a further conference with the Senate; and

(C) to insist upon disagreement to the Senate amendment;

shall remain of high privilege for consideration by the House. If all such motions to reject are defeated, then, after the allocation of time for debate on the motion to recede and concur in the Senate amendment with an amendment as provided in clause 2(b) of this Rule, it shall be in order to move the previous question on such motion.

(c) If, on a division of a motion that the House recede and concur, with or without amendment, from its disagreement to any such Senate amendment as described in paragraph (a)(1) of this clause, the House agrees to recede, then, before debate is commenced on concurring in such Senate amendment, or on concurring therein with an amendment it shall be in order to make and dispose of points of order and motions to reject with respect to such Senate amendment in accordance with applicable provisions of this clause and to effect final determination of these matters in accordance with such provisions.

6. (a) Each conference committee meeting between the House and Senate shall be open to the public except when the House, in open session, has determined by a roll call vote of a majority of those Members voting that all or part of the meeting shall be closed to the public.

(b)(1) After the reading of the report and before the reading of the joint statement, or immediately upon consideration of a conference report if clause 2(c) of this rule applies, a point of order may be made that the committee of conference making the report to the House has failed to comply with paragraph (a) of this clause.

(2) If such point of order is sustained, the conference report shall be considered as rejected, the House shall be considered to have insisted upon its amendment(s) or upon disgreement to the amendment(s) of the Senate, as the case may be, and to have requested a further conference with the Senate, and the Speaker shall be authorized to appoint new conferees without intervening motion.

Rule XXIX

SECRET SESSION

Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any Member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members and officers thereof, and so continue during the reading of such communications, the debates and proceedings thereon, unless otherwise ordered by the House.

Rule XXX

READING OF PAPERS

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any Member, it shall be determined without debate by a vote of the House.

RULE XXXI

HALL OF THE HOUSE

The Hall of the House shall be used only for the legislative business of the House and for the caucus meetings of its Members, except upon occasions where the House by resolution agrees to take part in any ceremonies to be observed therein; and the Speaker shall not entertain a motion for the suspension of this rule.

RULE XXXII

OF ADMISSION TO THE FLOOR

1. The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice President of the United States and their private secretaries, judges of the Supreme Court, Members of Congress and Members-elect, contestants in election cases during the pendency of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of departments, foreign ministers, governors of States, the Architect of the Capitol, the Librarian of Congress and his assistant in charge of the Law Library, the Resident Commissioner to the United States from Puerto Rico, each Delegate to the House, such persons as have, by name, received the thanks of Congress, the Parliamentarian, elected officers and elected minority employees of the House (other than Members); and ex-Members of the House of Representatives, former Parliamentarians of the House, and former elected officers and elected minority employees of the House, subject to the provisions of clause 3 of this rule; and clerks of committees when business from their committee is under consideration and not more than one person from a Member's staff when that Member has an amendment under consideration, subject to the provisions of clause 4 of this rule; and one attorney to accompany any Member who is the respondent in an investigation undertaken by the Committee on Standards of Official Conduct when the recommendation of such committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the chair the request of any Member for unanimous consent.

2. There shall be excluded at all times from the Hall of the House of Representatives and the cloakrooms all persons not entitled to the privilege of the floor during the session, except that until fifteen minutes of the hour of the meeting of the House persons employed in its service, accredited members of the press entitled to admission to the press gallery, and other persons on request of Members, by card or in writing may be admitted.

3. Ex-Members of the House of Representatives, former Parliamentarians of the House, and former elected officers and former elected minority employees of the House, shall be entitled to the privilege of admission to the Hall of the House and rooms leading thereto only if they do not have any direct personal or pecuniary interest in any legislative measure pending before the House or reported by any committee of the House and only if they are not in the employ of, or do not represent, any party or organization for the purpose of influencing, directly or indirectly, the passage, defeat or amendment of any legislative measure pending before the House, reported by any committee of the House or under consideration in any of its committees or subcommittees. The Speaker shall promulgate such regulations as may be necessary to implement the provisions of this rule and to ensure its enforcement.

4. Persons from Member's staffs admitted to the Hall of the House or rooms leading thereto under clause 1 shall be admitted only upon prior notification to the Speaker. No such person or clerk of a committee so admitted under clause 1 shall engage in efforts in the Hall of the House or rooms leading thereto to influence Members with regard to the legislation being amended. Such persons and clerks shall remain at the desk and are admitted only to advise the Member or committee responsible for their admission. Any such person or clerk who violates this clause may be excluded during the session from the Hall of the House and rooms leading thereto by the Speaker.

RULE XXXIII

OF ADMISSION TO THE GALLERIES

The Speaker shall set aside a portion of the west gallery for the use of the President of the United States, the members of his Cabinet, justices of the Supreme Court, foreign ministers and suites, and the members of their respective families, and shall also set aside another portion of the same gallery for the accommodation of persons to be admitted on the card of Members. The southerly half of the east gallery shall be assigned exclusively for the use of the families of Members of Congress, in which the Speaker shall contol one bench, and on request of a Member the Speaker shall issue a card of admission to his family, which shall include their visitors, and no other person shall be admitted to this section.

RULE XXXIV

OFFICIAL AND OTHER REPORTERS

1. The appointment and removal, for cause, of the official reporters of the House, including stenographers of committees, and the manner of the execution of their duties shall be vested in the Clerk, subject to the direction and control of the Speaker.

2. Such portion of the gallery over the Speaker's chair as may be necessary to accommodate representatives of the press wishing to report debates and proceedings shall be set aside for their use, and reputable reporters and correspondents shall be admitted thereto under such regulations as the Speaker may from time to time prescribe; and the supervision of such gallery, including the designation of its employees, shall be vested in the standing committee of correspondents, subject to the direction and control of the Speaker; and the Speaker may assign one seat on the floor to Associated Press reporters and one to United Press International, and regulate the occupation of the same. And the Speaker may admit to the floor, under such regulations as he may prescribe, one additional representative of each press association.

3. Such portion of the gallery of the House of Representatives as may be necessary to accommodate reporters of news to be disseminated by radio, television, and similar means of transmission, wishing to report debates and proceedings, shall be set aside for their use, and reputable reporters thus engaged shall be admitted thereto under such regulations as the Speaker may from time to time prescribe; and the supervision of such gallery, including the designation of its employees, shall be vested in the Executive Committee of the Radio and Television Correspondents' Galleries, subject to the direction and control of the Speaker; and the Speaker may admit to the floor, under such regulations as he may prescribe, one representative of the National Broadcasting Company, one of the Columbia Broadcasting System, one of the Mutual Broadcasting System, and one of the American Broadcasting Company.

RULE XXXV

PAY OF WITNESSES

The rule for paying witnesses to appear before the House or any of its committees shall be as follows: For each day a witness shall attend, the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members and employees of the House, and actual expenses of travel in coming to or going from the place of examination; but no per diem shall be paid when a witness has been summoned at the place of examination.

RULE XXXVI

PRESERVATION AND AVAILABILITY OF NONCURRENT RECORDS OF THE HOUSE

1. (a) At the end of each Congress, the chairman of each committee of the House shall transfer to the Clerk any noncurrent records of such committee, including the subcommittees thereof.

(b) At the end of each Congress, each officer of the House elected pursuant to rule II shall transfer to the Clerk any noncurrent records made or required in the course of the duties of such officer.

2. The Clerk shall deliver the records transferred pursuant to clause 1 of the rule, together with any other noncurrent records of the House, to the Archivist of the United States for preservation at the National Archives and Records Administration. Records so delivered are the permanent property of the House and remain subject to this rule and the orders of the House.

3. (a) Subject to paragraph (b) of the clause, clause 4 of this rule, and orders of the House, the Clerk shall authorize the Archivist of the United States to make available for public use the records delivered to the Archivist under clause 2 of this rule.

(b)(1) Any record that the House or a committee of the House (or a subcommitte thereof) makes available for public use before such record is delivered to the Archivist under clause 2 of this rule shall be made available immediately.

(2) Any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of rule XI shall be available if such record has been in existence for 50 years.

(3) Any record for which a time, schedule, or condition for availability is specified by order of the House shall be made available in accordance with that order. Except as otherwise provided by order of the House, any record of a committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(4) Any record (other than a record referred to in subparagraph (1), (2), or (3) of this paragraph) shall be made available if such record has been in existence for 30 years.

4. (a) A record shall not be made available for public use under clause 3 of this rule if the Clerk determines that such availability would be detrimental to the public interest or inconsistent with the rights and privileges of the House. The Clerk shall notify in writing the chairman and the ranking minority party Member of the Committee on House Administration of any determination under the preceding sentence.

(b) A determination of the Clerk under paragraph (a) is subject to later order of the House and, in the case of a record of a committee, later order of the committee.

5. (a) This rule does not supersede rule XLVIII or rule L and does not authorize the public disclosure of any record if such disclosure is prohibited by law or executive order of the President.

(b) The Committee on House Administration may prescribe guidelines and regulations governing the applicability and implementation of this rule.

(c) A committee may withdraw from the National Archives and Records Administration any record of the committee delivered to the Archivist of the United States under this rule. Such withdrawal shall be on a temporary basis and for official use of the committee.

6. As used in the rule the term "record" means any official, permanent record of the House, including—

(a) with respect to a committee of the House, an official, permanent record of the committee (including any record of a legislative, oversight, or other activity of such committee or subcommittee thereof); and

(b) with respect to an officer of the House elected pursuant to rule II, an official, permanent record made or acquired in the course of the duties of such officer. Such term does not include a record of an individual Member of the House.

RULE XXXVII

WITHDRAWAL OF PAPERS

No memorial or other paper presented to the House shall be withdrawn from its files without its leave, and if withdrawn therefrom certified copies thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim, the Clerk is authorized to transmit to the officer in charge with the settlement thereof the papers on file in his office relating to such claim, or may loan temporarily to an officer or bureau of the executive departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

RULE XXXVIII

BALLOT

In all cases of ballot a majority of the votes given shall be necessary to an election, and where there shall not be such a majority on the first ballot the ballots shall be repeated until a majority be obtained; and in all balloting blanks shall be rejected and not taken into the count in enumeration of votes or reported by the tellers.

RULE XXXIX

MESSAGES

Messages received from the Senate and the President of the United States, giving notice of bills passed or approved, shall be entered in the Journal and published in the Record of that day's proceedings.

RULE XL

EXECUTIVE COMMUNICATIONS

Estimates of appropriations and all other communications from the executive departments, intended for the consideration of any committees of the House, shall be addressed to the Speaker, and by him referred as provided by clause 2 of Rule XXIV.

RULE XLI

QUALIFICATIONS OF OFFICERS AND EMPLOYEES

No person shall be an officer or employee of the House, or continue in its employment, who shall be an agent for the prosecution of any claim against the Government or be interested in such claim otherwise than as an original claimant or than in the proper discharge of official duties.

RULE XLII

GENERAL PROVISIONS

The rules of parliamentary practice comprised in Jefferson's Manual and the provisions of the Legislative Reorganization Act of 1946, as amended, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House and joint rules of the Senate and House of Representatives.

RULE XLIII

CODE OF OFFICIAL CONDUCT

There is hereby established by and for the House of Representatives the following code of conduct, to be known as the "Code of Official Conduct":

1. A Member, officer, or employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect creditably on the House of Representatives.

2. A Member, officer, or employee of the House of Representatives shall adhere to the spirit and the letter of the Rules of the House of Representatives and to the rules of duly constituted committees thereof.

3. A Member, officer, or employee of the House of Representatives shall receive no compensation nor shall he permit any compensation to accrue to his beneficial interest from any source, the receipt of which would occur by virtue of influence improperly exerted from his position in the Congress.

4. A Member, officer, or employee of the House of Representatives shall not accept gifts (other than the personal hospitality of an individual or with a fair market value of $75 or less) in any calendar year aggregating more than the minimal value as established by paragraph (5) of section 7342 of title 5, United States Code, directly or indirectly from any person (other than from a relative), except to the extent permitted by written waiver granted in exceptional circumstances by the Committee on Standards of Official Conduct pursuant to clause 4(e) (1) (E) of rule X.

5. A Member, officer, or employee of the House of Representatives, shall accept no honorarium for a speech, writing for publication, or other similar activity.

6. A Member of the House of Representatives shall keep his campaign funds separate from his personal funds. A Member shall convert no campaign funds to personal use in excess of reimbursement for legitimate and verifiable campaign expenditures and shall expend no funds from his campaign account not attributable to bona fide campaign or political purposes.

7. A Member of the House of Representatives shall treat as campaign contributions all proceeds from testimonial dinners or other fund raising events.

8. A Member or officer of the House of Representatives shall retain no one under his payroll authority who does not perform official duties commensurate with the compensation received in the offices of the employing authority. In the case of committee employees who work under the direct supervision of a Member other than a chairman, the chairman may require that such Member affirm in writing that the employees have complied with the preceding sentence (subject to clause 6 of rule XI) as evidence of the chairman's compliance with this clause and with clause 6 of rule XI.

9. A Member, officer, or employee of the House of Representatives shall not discharge or refuse to hire any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex (including marital or parental status), handicap, age or national origin, but may take into consideration the domicile or political affiliation of such individual.

10. A Member of the House of Representatives who has been convicted by a court of record for the commission of a crime for which a sentence of two or more years' imprisonment may be imposed should refrain from participation in the business of each committee of which he is a member and should refrain from voting on any question at a meeting of the House, or of the Committee of the Whole House, unless or until judicial or executive proceedings result in reinstatement of the presumption of his innocence or until he is reelected to the House after the date of such conviction.

11. A Member of the House of Representatives shall not authorize or otherwise allow a non-House individual, group, or organization to use the words "Congress of the United States", "House of Representatives", or "Official Business", or any combination of words thereof, on any letterhead or envelope.

12. (a) Except as provided by paragraph (b), any employee of the House of Representatives who is required to file a report pursuant to rule XLIV shall refrain from participating personally and substantially as an employee of the House of Representatives in any contact with any agency of the executive or judicial branch of Government with respect to nonlegislative matters affecting any nongovernmental person in which the employee has a significant financial interest.

(b) Paragraph (a) shall not apply if an employee first advises his employing authority of his significant financial interest and obtains from his employing authority a written waiver stating that the participation of the employee is necessary. A copy of each such waiver shall be filed with the Committee on Standards of Official Conduct.

As used in this Code of Official Conduct of the House of Representatives—(a) the terms "Member" and "Member of the House of Representatives" include the Resident Commissioner from Puerto Rico and each Delegate to the House; and (b) the term "officer or employee of the House of Representatives" means any individual whose compensation is disbursed by the Clerk of the House of Representatives.

For the purposes of clause 4 of this Code of Official Conduct, the term "relative" means, with respect to any Member, officer, or employee of the House of Representatives, an individual who is related as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, or who is the grandfather or grandmother of the spouse of such Member, officer, or employee, and shall be deemed to include the fiance or fiancee of the Member, officer, or employee.

RULE XLIV

FINANCIAL DISCLOSURE

1. A copy of each report filed with the Clerk under title I of the Ethics in Government Act of 1978 shall be sent by the Clerk within the seven-day period beginning the date on which the report is filed to the Committee on Standards of Official Conduct. By August 1 of each year, the Clerk shall compile all such reports sent to him by Members within the period beginning on January 1 and ending on June 15 of each year and have them printed as a House document, which document shall be made available to the public.

2. For the purposes of this rule, the provisions of title I of the Ethics in Government Act of 1978 shall be deemed to be a rule of the House as it pertains to Members, officers, and employees of the House of Representatives.

[The pertinent parts of Title I of the Ethics in Government Act of 1978 (Public Law 95-121, as amended by Public Laws 96-19, 96-150, 101-194, and 101-280; see 2 U.S.C. 701 et seq.) read as follows:]

TITLE I—FINANCIAL DISCLOSURE REQUIREMENTS OF FEDERAL PERSONNEL

Persons Required to File

SEC. 101. (a) Within thirty days of assuming the position of an officer or employee described in subsection (f), an individual shall file a report containing the information described in section 102(b) unless the individual has left another position described in subsection (f) within thirty days prior to assuming such new position or has already filed a report under this title with respect to nomination for the new position or as a candidate for the position. * * *

(c) Within thirty days of becoming a candidate as defined in section 301 of the Federal Campaign Act of 1971, in a calendar year for nomination or election to the office of President, Vice President, or Member of Congress, or on or before May 15 of that calendar year, whichever is later, but in no event later than 30 days before the election, and on or before May 15 of each successive year an individual continues to be a candidate, an individual other than an incumbent President, Vice President, or Member of Congress shall file a report containing the information described in section 102(b). Notwithstanding the preceding sentence, in any calendar year in which an individual continues to be a candidate for any office but all elections for such office relating to such candidacy were held in prior calendar years, such individual need not file a report unless he becomes a candidate for another vacancy in that office or another office during that year.

(d) Any individual who is an officer or employee described in subsection (f) during any calendar year and performs the duties of his position or office for a period in excess of sixty days in that calendar year shall file on or before May 15 of the succeeding year a report containing the information described in section 102(a).

(e) Any individual who occupies a position described in subsection (f) shall, on or before the thirtieth day after termination of employment in such position, file a report containing the information described in section 102(a) covering the preceding calendar year if the report required by subsection (d) has not been filed and covering the portion of the calendar year in which such termination occurs up to the date the individual left such office or position, unless such individual has accepted employment in another position described in subsection (f).

(f) The officers and employees referred to in subsections (a), (d), and (e) are— * * *

(9) a Member of Congress as defined under section 109(12);

(10) an officer or employee of the Congress as defined under section 109(13); * * *

(g) Reasonable extensions of time for filing any report may be granted under procedures prescribed by the supervising ethics office for each branch, but the total of such extensions shall not exceed ninety days.

(h) The provisions of subsections (a), (b), and (c) shall not apply to an individual who, as determined by the designated agency ethics official or Secretary concerned (or in the case of a Presidential appointee under subsection (b), the Director of the Office of Government Ethics), the congressional ethics committees, or the Judicial Conference, is not reasonably expected to perform the duties of his office or position for more than sixty days in a calendar year, except that if such individual performs the duties of his office or position for more than sixty days in a calendar year—

(1) the report required by subsections (a) and (b) shall be filed within fifteen days of the sixtieth day, and

(2) the report required by subsection (c) shall be filed as provided in such subsection.

(i) The supervising ethics office for each branch may grant a publicly available request for a waiver of any reporting requirement under this section for an individual who is expected to perform or has performed the duties of his office or position less than one hundred and thirty days in a calendar year, but only if the supervising ethics office determines that—

(1) such individual is not a full-time employee of the Government,

(2) such individual is able to provide services specially needed by the Government,

(3) it is unlikely that the individual's outside employment or financial interests will create a conflict of interest, and

(4) public financial disclosure by such individual is not necessary in the circumstances.

Contents of Reports

SEC. 102. (a) Each report filed pursuant to section 101 (d) and (e) shall include a full and complete statement with respect to the following:

(1)(A) The source, type, and amount or value of income (other than income referred to in subparagraph (B)) from any source (other than from current employment by the United States Government), and the source, date, and amount of honoraria from any source, received during the preceding calendar year, aggregating $200 or more in value and, effective January 1, 1991, the source, date, and amount of payments made to charitable organizations in lieu of honoraria, and the reporting individual shall simultaneously file with the applicable supervising ethics office, on a confidential basis, a corresponding list of recipients of all such payments, together with the dates and amounts of such payments.

(B) The source and type of income which consists of dividends, rents, interest, and capital gains, received during the preceding calendar year which exceeds $200 in amount or value, and an indication of which of the following categories the amount or value of such item of income is within:

(i) not more than $1,000,

(ii) greater than $1,000 but not more than $2,500,

(iii) greater than $2,500 but not more than $5,000,

(iv) greater than $5,000 but not more than $15,000,

(v) greater than $15,000 but not more than $50,000,

(vi) greater than $50,000 but not more than $100,000,

(vii) greater than $100,000 but not more than $1,000,000, or

(viii) greater than $1,000,000.

(2)(A) The identity of the source and a brief description (including a travel itinerary, dates, and nature of expenses provided) of any gifts of transportation, lodging, food, or entertainment aggregating $250 or more in value received from any source other than a relative of the reporting individual during the preceding calendar year, except that any food, lodging, or entertainment received as personal hospitality of any individual need not be reported, and any gift with a fair market value of $75 or less need not be aggregated for purposes of this subparagraph.

(B) The identify of the source, a brief description, and the value of all gifts other than transportation, lodging, food, or entertainment aggregating $100 or more in value received from any source other than a relative of the reporting individual during the preceding calendar year, except that any gift with a fair market value of $75 or less need not be aggregated for purposes of this subparagraph.

(C) The identify of the source and a brief description (including a travel itinerary, dates, and nature of expenses provided) of reimbursements received from any source aggregating $250 or more in value and received during the preceding calendar year.

(D) In an unusual case, a gift need not be aggregated under subparagraph (A) or (B) if a publicly available request for a waiver is granted.

(3) The identity and category of value of any interest in property held during the preceding calendar year in a trade or business, or for investment or the production of income, which has a fair market value which exceeds $1,000 as of the close of the preceding calendar year, excluding any personal liability owed to the reporting individual by a spouse, or by a parent, brother, sister, or child of the reporting individual or of the reporting individual's spouse, or any deposits aggregating $5,000 or less in a personal savings account. For purposes of this paragraph, a personal savings account shall include any certificate of deposit or any other form of deposit in a bank, savings and loan association, credit union, or similar financial institution.

(4) The identity and category of value of the total liabilities owed to any creditor other than a spouse, or a parent, brother, sister, or child of the reporting individual or of the reporting individual's spouse which exceed $10,000 at any time during the preceding calendar year, excluding—

(A) any mortgage secured by real property which is a personal residence of the reporting individual or his spouse; and

(B) any loan secured by a personal motor vehicle, household furniture, or appliances, which loan does not exceed the purchase price of the item which secures it.

With respect to revolving charge accounts, only those with an outstanding liability which exceeds $10,000 as of the close of the preceding calendar year need be reported under this paragraph.

(5) Except as provided in this paragraph, a brief description, the date, and category of value of any purchase, sale or exchange during the preceding calendar year exceeds $1,000—

(A) in real property, other than property used solely as a personal residence of the reporting individual or his spouse; or

(B) in stocks, bonds, commodities futures, and other forms of securities.

Reporting is not required under this paragraph of any transaction solely by and between the reporting individual, his spouse, or dependent children.

(6)(A) The identity of all positions held on or before the date of filing during the current calendar year (and, for the first report filed by an individual, during the two-year period preceding such calendar year) as an officer, director, trustee, partner, proprietor, representative, employee, or consultant of any corporation, company, firm, partnership, or other business enterprise, any nonprofit organization, any labor organization, or any educational or other institution other than the United States. This subparagraph shall not require the reporting of positions held in any religious, social, fraternal, or political entity and positions solely of an honorary nature.

(B) If any person, other than the United States Government, paid a nonelected reporting individual compensation in excess of $5,000 in any of the two calendar years prior to the calendar year during which the individual files his first report under this title, the individual shall include in the report—

(i) the identity of each source of such compensation; and

(ii) a brief description of the nature of the duties performed or services rendered by the reporting individual for each such source.

The preceding sentence shall not require any individual to include in such report any information which is considered confidential as a result of a privileged relationship, established by law, between such individual and any person nor shall it require an individual to report any information with respect to any person for whom servicees were provided by any firm or association of which such individual was a member, partner, or employee unless such individual was directly involved in the provision of such services.

(7) A description of the date, parties to, and terms of any agreement or arrangement with respect to (A) future employment; (B) a leave of absence during the period of the reporting individual's Government service; (C) continuation of payments by a former employer other than the United States Government; and (D) continuing participation in an employee welfare or benefit plan maintained by a former employer.

(b)(1) Each report filed pursuant to subsections (a), (b), and (c) of section 101 shall include a full and complete statement with respect to the information required by—

(A) paragraph (1) of subsection (a) for the year of filing and the preceding calendar year,

(B) paragraphs (3) and (4) of subsection (a) as of the date specified in the report but which is less than thirty-one days before the filing date, and

(C) paragraphs (6) and (7) of subsection (a) as of the filing date but for periods described in such paragraphs.

(2)(A) In lieu of filling out one or more schedules of a financial disclosure form, an individual may supply the required information in an alternative format, pursuant to either rules adopted by the supervising ethics office for the branch in which such individual serves or pursuant to a specific written determination by such office for a reporting individual.

(B) In lieu of indicating the category of amount or value of any item contained in any report filed under this title, a reporting individual may indicate the exact dollar amount of such item.

(c) In the case of any individual described in section 101(e), any reference to the preceding calendar year shall be considered also to include that part of the calendar year of filing up to the date of the termination of employment.

(d)(1) The categories for reporting the amount or value of the items covered in paragraphs (3), (4), and (5) of subsection (a) are as follows:

(A) not more than $15,000;

(B) greater than $15,000 but not more than $50,000;

(C) greater than $50,000 but not more than $100,000;

(D) greater than $100,000 but not more than $250,000;

(E) greater than $250,000 but not more than $500,000;

(F) greater than $500,000 but not more than $1,000,000; and

(G) greater than $1,000,000.

(2) For the purposes of paragraph (3) of subsection (a) if the current value of an interest in real property (or an interest in a real estate partnership) is not ascertainable without an appraisal, an individual may list (A) the date of purchase and the purchase price of the interest in the real property, or (B) the assessed value of the real property for tax purposes, adjusted to reflect the market value of the property used for the assessment if the assessed value is computed at less than 100 percent of such market value, but such individual shall include in his report a full and complete description of the method used to determine such assessed value, instead of specifying a category of value pursuant to paragraph (1) of this subsection. If the current value of any other item required to be reported under paragraph (3) of subsection (a) is not ascertainable without an appraisal, such individual may list the book value of a corporation whose stock is not publicly traded, the net worth of a business partnership, the equity value of an individually owned business, or with respect to other holdings, any recognized indication of value, but such individual shall include in his report a full and complete description of the method used in determining such value. In lieu of any value referred to in the preceding sentence, an individual may list the assessed value of the item for tax purposes, adjusted to reflect the market value of the item used for the assessment if the assessed value is computed at less than 100 percent of such market value, but a full and complete description of the method used in determining such assessed value shall be included in the report.

(e)(1) Except as provided in the last sentence of this paragraph, each report required by section 101 shall also contain information listed in paragraphs (1) through (5) of subsection (a) of this section respecting the spouse or dependent child of the reporting individual as follows:

(A) The source of items of earned income earned by a spouse from any person which exceed $1,000 and the source and amount of any honoraria received by a spouse, except that, with respect to earned income (other than honoraria), if the spouse is self-employed in business or a profession, only the nature of such business or profession need be reported.

(B) All information required to be reported in subsection (a)(1)(B) with respect to income derived by a spouse or dependent child from any asset held by the spouse or dependent child and reported pursuant to subsection (a)(3).

(C) In the case of any gifts received by a spouse or dependent child which are not received totally independent of the relationship of the spouse or dependent child to the reporting individual, the identity of the source and a brief description of gifts of transportation, lodging, food, or entertainment and a brief description and the value of other gifts.

(D) In the case of any reimbursements received by a spouse or dependent child which are not received totally independent of the relationship of the spouse or dependent child to the reporting individual, the identity of the source and a brief description of each such reimbursement.

(E) In the case of items described in paragraphs (3) through (5) of subsection (a), all information required to be reported under these paragraphs other than items (i) which the reporting individual certifies represent the spouse's or dependent child's sole financial interest or responsibility and which the reporting individual has no knowledge of, (ii) which are not in any way, past or present, derived from the income, assets, or activities of the reporting individual, and (iii) from which the reporting individual neither derives, nor expects to derive, any financial or economic benefit.

Reports required by subsections (a), (b), and (c) of section 101 shall, with respect to the spouse and dependent child of the reporting individual, only contain information listed in paragraphs (1), (3), and (4) of subsection (a), as specified in this paragraph.

(2) No report shall be required with respect to a spouse living separate and apart from the reporting individual with the intention of terminating the marriage or providing for permanent separation; or with respect to any income or obligations of an individual arising from the dissolution of his marriage or the permanent separation from his spouse.

(f)(1) Except as provided in paragraph (2), each reporting individual shall report the information required to be reported pursuant to subsections

(a), (b), and (c) of this section with respect to the holdings of and the income from a trust or other financial arrangement from which income is received by, or with respect to which a beneficial interest in principal or income is held by, such individual, his spouse, or any dependent child.

(2) A reporting individual need not report the holdings of or the source of income from any of the holdings of—

(A) any qualified blind trust (as defined in paragraph (3));

(B) a trust—

(i) which was not created directly by such individual, his spouse, or any dependent child, and

(ii) the holdings or sources of income of which such individual, his spouse, and any dependent child have no knowledge of; or

(C) an entity described under the provisions of paragraph (8), but such individual shall report the category of the amount of income received by him, his spouse, or any dependent child from the trust or other entity under subsection (a)(1)(B) of this section.

(3) For purpose of this subsection, the term "qualified blind trust" includes any trust in which a reporting individual, his spouse, or any minor or dependent child has a beneficial interest in the principal or income, and which meets the following requirements:

(A)(i) The trustee of the trust and any other entity designated in the trust instrument to perform fiduciary duties is a financial institution, an attorney, a certified public accountant, a broker, or an investment advisor who—

(I) is independent of and not associated with any interested party so that the trustee or other person cannot be controlled or influenced in the administration of the trust by any interested party; and

(II) is not and has not been an employee of or affiliated with any interested party and is not a partner of, or involved in any joint venture or other investment with, any interested party; and

(III) is not a relative of any interested party.

(ii) Any officer or employee of a trustee or other entity who is involved in the management or control of the trust—

(I) is independent of and not associated with any interested party so that such officer or employee cannot be controlled or influenced in the administration of the trust by any interested party;

(II) is not a partner of, or involved in any joint venture or other investment with, any interested party; and

(III) is not a relative of any interested party.

(B) Any asset transferred to the trust by an interested party is free of any restriction with respect to its transfer or sale unless such restriction is expressly approved by the supervising ethics office of the reporting individual.

(C) The trust instrument which establishes the trust provides that—

(i) except to the extent provided in subparagraph (B) of this paragraph, the trustee in the exercise of his authority and discretion to manage and control the assets of the trust shall not consult or notify any interested party;

(ii) the trust shall not contain any asset the holding of which by an interested party is prohibited by any law or regulation;

(iii) the trustee shall promptly notify the reporting individual and his supervising ethics office when the holdings of any particular asset transferred to the trust by any interested party are disposed of or when the value of such holding is less than $1,000;

(iv) the trust tax return shall be prepared by the trustee or his designee, and such return and any information relating thereto (other than the trust income summarized in appropriate categories necessary to complete an interested party's tax return), shall not be disclosed to any interested party;

(v) an interested party shall not receive any report on the holdings and sources of income of the trust, except a report at the end of each calendar quarter with respect to the total cash value of the interest of the interested party in the trust or the net income or loss of the trust or any reports necessary to enable the interested party to complete an individual tax return required by law or to provide the information required by subsection (a)(1) of this section, but such report shall not identify any asset or holding;

(vi) except for communications which solely consist of requests for distributions of cash or other unspecified assets of the trust, there shall be no direct or indirect communication between the trustee and an interested party with respect to the trust unless such communication is in writing and unless it relates only (I) to the general financial interest and needs of the interested party (including, but not limited to, an interest in maximizing income or long-term capital gain), (II) to the notification of the trustee of a law or regulation subsequently applicable to the reporting individual which prohibits the interested party from holding an asset, which notification directs that the asset not be held by the trust, or (III) to directions to the trustee to sell all of an asset initially placed in the trust by an interested party which in the determination of the reporting individual creates a conflict of interest or the appearance thereof due to the subsequent assumption of duties by the reporting individual (but nothing herein shall require any such direction); and

(vii) the interested parties shall make no effort to obtain information with respect to the holdings of the trust, including obtaining a copy of any trust tax return filed or any information relating thereto except as otherwise provided in this subsection.

(D) The proposed trust instrument and the proposed trustee is approved by the reporting individual's supervising ethics office.

(E) For purposes of this subsection, "interested party" means a reporting individual, his spouse, and any minor or dependent child; "broker" has the meaning set forth in section 3(a)(4) of the Securities and Exchange Act of 1934 (15 U.S.C. 78c(a)(4)); and "investment adviser" includes any investment adviser who, as determined under regulations prescribed by the supervising ethics office, is generally involved in his role as such an adviser in the management or control of trusts.

(F) Any trust qualified by a supervising ethics office before the effective date of title II of the Ethics Reform Act of 1989 shall continue to be governed by the law and regulations in effect immediately before such effective date.

(4)(A) An asset placed in a trust by an interested party shall be considered a financial interest of the reporting individual, for the purposes of any applicable conflict of interest statutes, regulations, or rules of the Federal Government (including section 208 of title 18, United States Code), until such time as the reporting individual is notified by the trustee that such asset has been disposed of, or has a value of less than $1,000.

(B)(i) The provisions of subparagraph (A) shall not apply with respect to a trust created for the benefit of a reporting individual, or the spouse, dependent child, or minor child of such a person, if the supervising ethics office for such reporting individual finds that—

(I) the assets placed in the trust consist of a well-diversified portfolio of readily marketable securities;

(II) none of the assets consist of securities of entities having substantial activities in the area of the reporting individual's primary area of responsibility;

(III) the trust instrument prohibits the trustee, notwithstanding the provisions of paragraphs (3)(C) (iii) and (iv) of this subsection, from making public or informing any interested party of the sale of any securities;

(IV) the trustee is given power of attorney, notwithstanding the provisions of paragraph (3)(C)(v) of this subsection, to prepare on behalf of any interested party the personal income tax returns and similar returns which may contain information relating to the trust; and

(V) except as otherwise provided in this paragraph, the trust instrument provides (or in the case of a trust established prior to the effective date of this Act which by its terms does not permit amendment, the trustee, the reporting individual, and any other interested party agree in writing) that the trust shall be administered in accordance with the requirements of this subsection and the trustee of such trust meets the requirements of paragraph (3)(A). * * *

(5)(A) The reporting individual shall, within thirty days after a qualified blind trust is approved by his supervising ethics office, file with such office a copy of—

(i) the executed trust instrument of such trust (other than those provisions which relate to the testamentary disposition of the trust assets), and

(ii) a list of the assets which were transferred to such trust, including the category of value of each asset as determined under subsection (d) of this section.

This subparagraph shall not apply with respect to a trust meeting the requirements for being considered a qualified blind trust under paragraph (7) of this subsection.

(B) The reporting individual shall, within thirty days of transferring an asset (other than cash) to a previously established qualified blind trust, notify his supervising ethics office of the identity of each such asset and the category of value of each asset as determined under subsection (d) of this section.

(C) Within thirty days of the dissolution of a qualified blind trust, a reporting individual shall—

(i) notify his supervising ethics office of such dissolution, and

(ii) file with such office a copy of a list of the assets of the trust at the time of such dissolution and the category of value under subsection (d) of this section of each such asset.

(D) Documents filed under subparagraphs (A), (B), and (C) of this paragraph and the lists provided by the trustee of assets placed in the trust by an interested party which have been sold shall be made available to the public in the same manner as a report is made available under section 105 and the provisions of that section shall apply with respect to such documents and lists.

(E) A copy of each written communication with respect to the trust under paragraph (3)(C)(vi) shall be filed by the person initiating the communication with the reporting individual's supervising ethics office within five days of the date of the communication.

(6)(A) A trustee of a qualified blind trust shall not knowingly and willfully, or negligently, (i) disclose any information to an interested party with respect to such trust that may not be disclosed under paragraph (3) of this subsection; (ii) acquire any holding the ownership of which is prohibited by the trust instrument; (iii) solicit advice from any interested party with respect to such trust, which solicitation is prohibited by paragraph (3) of this subsection or the trust agreement; or (iv) fail to file any document required by this subsection.

(B) A reporting individual shall not knowingly and willfully, or negligently, (i) solicit or receive any information with respect to a qualified blind trust of which he is an interested party that may not be disclosed under paragraph (3)(C) of this subsection or (ii) fail to file any document required by this subsection.

(C)(i) The Attorney General may bring a civil action in any appropriate United States district court against any individual who knowingly and willfully violates the provisions of subparagraph (A) or (B) of this paragraph. The court in which such action is brought may assess against such individual a civil penalty in any amount not to exceed $10,000.

(ii) The Attorney General may bring a civil action in any appropriate United States district court against any individual who negligently violates the provisions of subparagraph (A) or (B) of this paragraph. The court in which such action is brought may assess against such individual a civil penalty in any amount not to exceed $5,000.

(7) Any trust may be considered to be a qualified blind trust if—

(A) the trust instrument is amended to comply with the requirements of paragraph (3) or, in the case of a trust instrument which does not by its terms permit amendment, the trustee, the reporting individual, and any other interested party agree in writing that the trust shall be administered in accordance with the requirements of this subsection and the trustee of such trust meets the requirements of paragraph (3)(A); except that in the case of any interested party who is a dependent child, a parent or guardian of such child may execute the agreement referred to in this subparagraph;

(B) a copy of the trust instrument (except testamentary provisions) and a copy of the agreement referred to in subparagraph (A), and a list of the assets held by the trust at the time of approval by the supervising ethics office, including the category of value of each asset as determined under subsection (d) of this section, are filed with such office and made available to the public as provided under paragraph (5)(D) of this subsection; and

(C) the supervising ethics office determines that approval of the trust arrangement as a qualified blind trust is in the particular case appropriate to assure compliance with applicable laws and regulations.

(8) A reporting individual shall not be required to report the financial interests held by a widely held investment fund (whether such fund is a mutual fund, regulated investment company, pension or deferred compensation plan, or other investment fund), if—

(A)(i) the fund is publicly traded; or

(ii) the assets of the fund are widely diversified; and

(B) the reporting individual neither exercises control over nor has the ability to exercise control over the financial interests held by the fund.

(g) Political campaign funds, including campaign receipts and expenditures, need not be included in any report filed pursuant to this title.

(h) A report filed pursuant to subsection (a), (d), or (e) of section 101 need not contain the information described in subparagraphs (A), (B), and (C) of subsection (a)(2) with respect to gifts and reimbursements received in a period when the reporting individual was not an officer or employee of the Federal Government.

(i) A reporting individual shall not be required under this title to report—

(1) financial interests in or income derived from—

(A) any retirement system under title 5, United States Code (including the Thrift Savings Plan under subchapter III of chapter 84 of such title); or

(B) any other retirement system maintained by the United States for officers or employees of the United States, including the President, or for members of the uniformed services; or

(2) benefits received under the Social Security Act.

Filing of Reports

SEC. 103. (a) Except as otherwise provided in this section, the reports required under this title shall be filed by the reporting individual with the designated agency ethics official at the agency by which he is employed (or in the case of an individual described in section 101(e), was employed) or in which he will serve. The date any report is received (and the date of receipt of any supplemental report) shall be noted on such report by such official. * * *

(g) Each supervising Ethics Office shall develop and make available forms for reporting the information required by this title.

(h)(1) The reports required under this title shall be filed by a reporting individual with—

(A)(i)(I) the Clerk of the House of Representatives, in the case of a Representative in Congress, a Delegate to Congress, the Resident Commissioner from Puerto Rico, an officer or employee of the Congress whose compensation is disbursed by the Clerk of the House of Representatives, an officer or employee of the Architect of the Capitol, the United States Botanic Garden, the Congressional Budget Office, the Government Printing Office, the Library of Congress, or the Copyright Royalty Tribunal (including any individual terminating service, under section 101(e), in any office or position referred to in this subclause), or an individual described in section 101(c) who is a candidate for nomination or election as a Representative in Congress, a Delegate to Congress, or the Resident Commissioner from Puerto Rico; * * *

(ii) in the case of an officer or employee of the Congress as described under section 101(f)(10) who is employed by an agency or commission established in the legislative branch after the date of the enactment of the Ethics Reform Act of 1989—

(I) the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, as designated in the statute establishing such agency or commission; or

(II) if such statute does not designate such committee, the Secretary of the Senate for agencies and commissions established in even numbered calendar years, and the Clerk of the House of Representatives for agencies and commissions established in odd numbered calendar years; * * *

(2) The date any report is received (and the date of receipt of any supplemental report) shall be noted on such report by such committee.

(i) A copy of each report filed under this title by a Member or an individual who is a candidate for the office of Member shall be sent by the Clerk of the House of Representatives or Secretary of the Senate, as the case may be, to the appropriate State officer designated under section 316(a) of the Federal Election Campaign Act of 1971 of the State represented by the Member or in which the individual is a candidate, as the case may be, within the 7-day period beginning on the day the report is filed with the Clerk or Secretary.

(j)(1) A copy of each report filed under this title with the Clerk of the House of Representatives shall be sent by the Clerk to the Committee on Standards of Official Conduct of the House of Representatives within the 7-day period beginning on the day the report is filed. * * *

(k) In carrying out their responsibilities under this title with respect to candidates for office, the Clerk of the House of Representatives and the Secretary of the Senate shall avail themselves of the assistance of the Federal Election Commission. The Commission shall make available to the Clerk and the Secretary on a regular basis a complete list of names and addresses of all candidates registered with the Commission, and shall cooperate and coordinate its candidate information and notification program with the Clerk and the Secretary to the greatest extent possible.

Failure to File or Filing False Reports

SEC. 104. (a) The Attorney General may bring a civil action in any appropriate United States district court against any individual who knowingly and willfully falsifies or who knowingly and willfully fails to file or report any information that such individual is required to report pursuant to section 102. The court in which such action is brought may assess against such individual a civil penalty in any amount, not to exceed $10,000.

(b) The head of each agency, each Secretary concerned, the Director of the Office of Government Ethics, each congressional ethics committee, or the Judicial Conference, as the case may be, shall refer to the Attorney General the name of any individual which such official or committee has reasonable cause to believe has willfully failed to file a report or has willfully falsified or willfully failed to file information required to be reported.

(c) The President, the Vice President, the Secretary concerned, the head of each agency, the Office of Personnel Management, a congressional ethics committee, and the Judicial Conference of the United States, may take any appropriate personnel or other action in accordance with applicable law or regulation against any individual failing to file a report or falsifying or failing to report information required to be reported.

(d)(1) Any individual who files a report required to be filed under this title more than 30 days after the later of—

(A) the date such report is required to be filed pursuant to the provisions of this title and the rules and regulations promulgated thereunder; or

(B) if a filing extension is granted to such individual under section 101(g), the last day of the filing extension period, shall, at the direction of and pursuant to regulations issued by the supervising ethics office, pay a filing fee of $200. All such fees shall be deposited in the miscellaneous receipts of the Treasury. The authority under this paragraph to direct the payment of a filing fee may be delegated by the supervising ethics office in the executive branch to other agencies in the executive branch.

(2) The supervising ethics office may waive the filing fee under this subsection in extraordinary circumstances.

Custody of and Public Access to Reports

SEC. 105. (a) Each agency, each supervising ethics office in the executive or judicial branch, the Clerk of the House of Representatives, and the Secretary of the Senate shall make available to the public, in accordance with subsection (b), each report filed under this title with such agency or office or with the Clerk or the Secretary of the Senate. * * *

(b)(1) Each agency, each supervising ethics office in the executive or judicial branch, the Clerk of the House of Representatives, and the Secretary of the Senate shall, within thirty days after any report is received under this title by such agency or office or by the Clerk or the Secretary of the Senate, as the case may be, permit inspection of such report by or furnish a copy of such report to any person requesting such inspection or copy. The agency, office, Clerk, or Secretary of the Senate, as the case may be may require a reasonable fee to be paid in any amount which is found necessary to recover the cost of reproduction or mailing of such report excluding any salary of any employee involved in such reproduction or mailing. A copy of such report may be furnished without charge or at a reduced charge if it is determined that waiver or reduction of the fee is in the public interest.

(2) Notwithstanding paragraph (1), a report may not be made available under this section to any person nor may any copy thereof be provided under this section to any person except upon a written application by such person stating—

(A) that person's name, occupation and address;

(B) the name and address of any other person or organization on whose behalf the inspection or copy is requested; and

(C) that such person is aware of the prohibitions on the obtaining or use of the report.

Any such application shall be made available to the public throughout the period during which the report is made available to the public.

(c)(1) It shall be unlawful for any person to obtain or use a report—

(A) for any unlawful purpose;

(B) for any commercial purpose, other than by news and communications media for dissemination to the general public;

(C) for determining or establishing the credit rating of any individual; or

(D) for use, directly or indirectly, in the solicitation of money for any political, charitable, or other purpose.

(2) The Attorney General may bring a civil action against any person who obtains or uses a report for any purpose prohibited in paragraph (1) of this subsection. The court in which such action is brought may assess against such person a penalty in any amount not to exceed $10,000. Such remedy shall be in addition to any other remedy available under statutory or common law.

(d) Any report filed with or transmitted to an agency or supervising ethics office or to the Clerk of the House of Representatives or the Secretary of the Senate pursuant to this title shall be retained by such agency or office or by the Clerk or the Secretary of the Senate, as the case may be. Such report shall be made available to the public for a period of six years after receipt of the report. After such six-year period the report shall be destroyed unless needed in an ongoing investigation, except that in the case of an individual who filed the report pursuant to section 101(b) and was not subsequently confirmed by the Senate, or who filed the report pursuant to section 101(c) and was not subsequently elected, such reports shall be destroyed one year after the individual either is no longer under consideration by the Senate or is no longer a candidate for nomination or election to the Office of President, Vice President, or as a Member of Congress, unless needed in an ongoing investigation.

Review of Reports

SEC. 106. (a)(1) Each designated agency ethics official or Secretary concerned shall make provisions to ensure that each report filed with him under this title is reviewed within sixty days after the date of such filing, except that the Director of the Office of Government Ethics shall review only those reports required to be transmitted to him under this title within sixty days after the date of transmittal.

(2) Each congressional ethics committee and the Judicial Conference shall make provisions to ensure that each report filed under this title is reviewed within sixty days after the date of such filing.

(b)(1) If after reviewing any report under subsection (a), the Director of the Office of Government Ethics, the Secretary concerned, the designated agency ethics official, a person designated by the congressional ethics committee, or a person designated by the Judicial Conference, as the case may be, is of the opinion that on the basis of information contained in such report the individual submitting such report is in compliance with applicable laws and regulations, he shall state such opinion on the report, and shall sign such report.

(2) If the Director of the Office of Government Ethics, the Secretary concerned, the designated agency ethics official, a person designated by the congressional ethics committee, or a person designated by the Judicial Conference, after reviewing any report under subsection (a)—

(A) believes additional information is required to be submitted, he shall notify the individual submitting such report what additional information is required and the time by which it must be submitted, or

(B) is of the opinion, on the basis of information submitted, that the individual is not in compliance with applicable laws and regulations, he shall notify the individual, afford a reasonable opportunity for a written or oral response, and after consideration of such response, reach an opinion as to whether or not, on the basis of information submitted, the individual is in compliance with such laws and regulations.

(3) If the Director of the Office of Government Ethics, the Secretary concerned, the designated agency ethics official, a person designated by a congressional ethics committee, or a person designated by the Judicial Conference, reaches an opinion under paragraph (2)(B) that an individual is not in compliance with applicable laws and regulations, the official or committee shall notify the individual of that opinion and, after an opportunity for personal consultation (if practicable), determine and notify the individual of which steps, if any, would in the opinion of such official or committee be appropriate for assuring compliance with such laws and regulations and the date by which such steps should be taken. Such steps may include, as appropriate—

(A) divestiture,

(B) restitution,

(C) the establishment of a blind trust,

(D) request for an exemption under section 208(b) of title 18, United States Code, or

(E) voluntary request for transfer, reassignment, limitation of duties, or resignation.

The use of any such steps shall be in accordance with such rules or regulations as the supervising ethics office may prescribe.

(4) If steps for assuring compliance with applicable laws and regulations are not taken by the date set under paragraph (3) by an individual in a position in the executive branch (other than in the Foreign Service or the uniformed services), appointment to which requires the advice and consent of the Senate, the matter shall be referred to the President for appropriate action.

(5) If steps for assuring compliance with applicable laws and regulations are not taken by the date set under paragraph (3) by a member of the Foreign Service or the uniformed services, the Secretary concerned shall take appropriate action.

(6) If steps for assuring compliance with applicable laws and regulations are not taken by the date set under paragraph (3) by any other officer or employee, the matter shall be referred to the head of the appropriate agency, the congressional ethics committee, or the Judicial Conference, for appropriate action; except that in the case of the Postmaster General or Deputy Postmaster General, the Director of the Office of Government Ethics shall recommend to the Governors of the Board of Governors of the United States Postal Service the action to be taken.

(7) Each supervising ethics office may render advisory opinions interpreting this title within its respective jurisdiction. Notwithstanding any other provision of law, the individual to whom a public advisory opinion is rendered in accordance with this paragraph, and any other individual covered by this title who is involved in a fact situation which is indistinguishable in all material aspects, and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of such act, be subject to any penalty or sanction provided by this title.

Confidential Reports and Other Additional Requirements

SEC. 107. (a)(1) Each supervising ethics office may require officers and employees under its jurisdiction (including special Government employees as defined in section 202 of title 18, United States Code) to file confidential financial disclosure reports, in such form as the supervising ethics office may prescribe. The information required to be reported under this subsection by the officers and employees of any department or agency shall be set forth in rules or regulations prescribed by the supervising ethics office, and may be less extensive than otherwise required by this title, or more extensive when determined by the supervising ethics office to be necessary and appropriate in light of sections 202 through 209 of title 18, United States Code, regulations promulgated thereunder, or the authorized activities of such officers or employees. Any individual required to file a report pursuant to section 101 shall not be required to file a confidential report pursuant to this subsection, except with respect to information which is more extensive than information otherwise required by this title. Subsections (a), (b), and (d) of section 105 shall not apply with respect to any such report.

(2) Any information required to be provided by an individual under this subsection shall be confidential and shall not be disclosed to the public.

(3) Nothing in this subsection exempts any individual otherwise covered by the requirement to file a public financial disclosure report under this title from such requirement.

(b) The provisions of this title requiring the reporting of information shall supersede any general requirement under any other provision of law or regulation with respect to the reporting of information required for purposes of preventing conflicts of interest or apparent conflicts of interest. Such provisions of this title shall not supersede the requirements of section 7342 of title 5, United States Code.

(c) Nothing in this Act requiring reporting of information shall be deemed to authorize the receipt of income, gifts, or reimbursements; the holding of assets, liabilities, or positions; or the participation in transactions that are prohibited by law, Executive order, rule, or regulation.

Authority of Comptroller General

SEC. 108. (a) The Comptroller General shall have access to financial disclosure reports filed under this title for the purposes of carrying out his statutory responsibilities.

(b) No later than December 31, 1992, and regularly thereafter, the Comptroller General shall conduct a study to determine whether the provisions of this title are being carried out effectively.

Definitions

SEC. 109. For the purposes of this title, the term—

(1) "congressional ethics committees" means the Select Committee on Ethics of the Senate and the Committee on Standards of Official Conduct of the House of Representatives;

(2) "dependent child" means, when used with respect to any reporting individual, any individual who is a son, daughter, stepson, or stepdaughter and who—

(A) is unmarried and under age 21 and is living in the household of such reporting individual; or

(B) is a dependent of such reporting individual within the meaning of section 152 of the Internal Revenue Code of 1986;

(3) "designated agency ethics official" means an officer or employee who is designated to administer the provisions of this title within an agency; • • •

(5) "gift" means a payment, advance, forbearance, rendering, or deposit of money, or any thing of value, unless consideration of equal or greater value is received by the donor, but does not include—

(A) bequest and other forms of inheritance;

(B) suitable mementos of a function honoring the reporting individual;

(C) food, lodging, transportation, and entertainment provided by a foreign government within a foreign country or by the United States Government, the District of Columbia, or a State or local government or political subdivision thereof;

(D) food and beverages which are not consumed in connection with a gift of overnight lodging;

(E) communications to the offices of a reporting individual, including subscriptions to newspapers and periodicals; or

(F) consumable products provided by home-State businesses to the offices of a reporting individual who is an elected official, if those products are intended for consumption by persons other than such reporting individual;

(6) "honoraria" has the meaning given such term in section 505 of this Act;

(7) "income" means all income from whatever source derived, including but not limited to the following items: compensation for services, including fees, commissions, and similar items; gross income derived from business (and net income if the individual elects to include it); gains derived from dealings in property; interest; rents; royalties; dividends; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive share of partnership income; and income from an interest in an estate or trust; • • •

(11) "legislative branch" includes—

(A) the Architect of the Capitol;

(B) the Botanic Gardens;

(C) the Congressional Budget Office;

(D) the General Accounting Office;

(E) the Government Printing Office;

(F) the Library of Congress;

(G) the United States Capitol Police;

(H) the Office of Technology Assessment; and

(I) any other agency, entity, office, or commission established in the legislative branch;

(12) "Member of Congress" means a United States Senator, a Representative in Congress, a Delegate to Congress, or the Resident Commissioner from Puerto Rico;

(13) "officer or employee of the Congress" means—

(A) any individual described under subparagraph (B), other than a Member of Congress or the Vice President, whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives;

(B)(i) each officer or employee of the legislative branch who is compensated for at least 60 days at a rate of basic pay equal to or greater than the annual rate of basic pay in effect for grade GS-16 of the General Schedule; and

(ii) at least one principal assistant designated for purposes of this paragraph by each Member who does not have an employee compensated at a rate equal to or in excess of the annual rate of basic pay in effect for grade GS-16 of the General Schedule;

(14) "personal hospitality of any individual" means hospitality extended for a nonbusiness purpose by an individual, not a corporation or organization, at the personal residence of that individual or his family or on property or facilities owned by that individual or his family;

(15) "reimbursement" means any payment or other thing of value received by the reporting individual, other than gifts, to cover travel-related expenses of such individual other than those which are—

(A) provided by the United States Government, the District of Columbia, or a State or local government or political subdivision thereof;

(B) required to be reported by the reporting individual under section 7342 of title 5, United States Code; or

(C) required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434);

(16) "relative" means an individual who is related to the reporting individual, as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, or who is the grandfather or grandmother of the spouse of the reporting individual, and shall be deemed to include the fiance or fiancee of the reporting individual; • • •

(18) "supervising ethics office" means—

(A) the Senate Committee on Ethics of the Senate, for Senators, officers and employees of the Senate, and other officers or employees of the legislative branch required to file financial disclosure reports with the Secretary of the Senate pursuant to section 103(h) of this title;

(B) the Committee on Standards of Official Conduct of the House of Representatives, for Members, officers and employees of the House of Representatives and other officers or employees of the legislative branch required to file financial disclosure reports with the Clerk of the House of Repre-

sentatives pursuant to section 103(h) of this title;

(C) the Judicial Conference for judicial officers and judicial employees; and

(D) the Office of Government Ethics for all executive branch officers and employees; and

(19) "value" means a good faith estimate of the dollar value if the exact value is neither known nor easily obtainable by the reporting individual.

Notice of Actions Taken to Comply with Ethics Agreements

SEC. 110. (a) In any case in which an individual agrees with that individual's designated agency ethics official, the Office of Government Ethics, a Senate confirmation committee, a congressional ethics committee, or the Judicial Conference, to take any action to comply with this Act of any other law or regulation governing conflicts of interest of, or establishing standards of conduct applicable with respect to, officers or employees of the Government, that individual shall notify in writing the designated agency ethics official, the Office of Government Ethics, the appropriate committee of the Senate, the congressional ethics committee, or the Judicial Conference, as the case may be, of any action taken by the individual pursuant to that agreement. Such notification shall be made not later than the date specified in the agreement by which action by the individual must be taken, or not later than three months after the date of the agreement, if no date for action is so specified.

(b) If an agreement described in subsection (a) requires that the individual recuse himself or herself from particular categories of agency or other official action, the individual shall reduce to writing those subjects regarding which the recusal agreement will apply and the process by which it will be determined whether the individual must recuse himself or herself in a specific instance. An individual shall be considered to have complied with the requirements of subsection (a) with respect to such recusal agreement if such individual files a copy of the document setting forth the information described in the preceding sentence with such individual's designated agency ethics official or the appropriate supervising ethics office within the time prescribed in the last sentence of subsection (a).

Administration of Provisions

SEC. 111. The provisions of this title shall be administered by * * *

(2) the Select Committee on Ethics of the Senate and the Committee on Standards of Official Conduct of the House of Representatives, as appropriate, with regard to officers and employees described in paragraphs (9) and (10) of section 101(f). * * *

RULE XLV

PROHIBITION OF UNOFFICIAL OFFICE ACCOUNTS

1. No Member may maintain or have maintained for his use an unofficial office account.

2. After the date of adoption of this rule, no funds may be paid into any unofficial office account.

3. Notwithstanding any other provision of this rule, if an amount from the Official Expenses Allowance of a Member is paid into the House Recording Studio revolving fund for telecommunications satellite services, the Member may accept reimbursement from non-political entities in that amount for transmission to the Clerk of the House of Representatives for credit to the Official Expenses Allowance.

4. For purposes of this rule—

(a) the term "unofficial office account" means an account or repository into which funds are received for the purpose of defraying otherwise unreimbursed expenses allowable under section 162(a) of the Internal Revenue Code of 1954 as ordinary and necessary in the operation of a congressional office, and includes any newsletter fund referred to in section 527(g) of the Internal Revenue Code of 1954; and

(b) the term "Member" means any Member of, Delegate to, or Resident Commissioner in, the House of Representatives.

RULE XLVI

LIMITATIONS ON THE USE OF THE FRANK

1. Any franked mail which is mailed by a Member under section 3210(d) of title 39, United States Code, shall be mailed at the equivalent rate of postage which assures that such mail will be sent by the most economical means practicable.

2. A Member shall, before making any mass mailing, submit a sample or description of the mail matter involved to the House Commission on Congressional Mailing Standards for an advisory opinion as to whether such proposed mailing is in compliance with applicable provisions of law, rule, or regulation.

3. Any mass mailing which otherwise is frankable by a Member under the provisions of section 3210(e) of title 39, United States Code, shall not be frankable unless the cost of preparing and printing such mass mailing is defrayed exclusively from funds made available in any appropriations Act.

4. A Member may not send any mass mailing outside the congressional district of the Member, except that—

(a) a Member may send mass mailings to any area in a county, if any part of the county adjoins or is inside the congressional district of the Member; and

(b) in the case of redistricting, on and after the date referred to in section 3210(d)(1)(B) of title 39, United States Code, a Member may send mass mailings to the additional area described in that section.

5. In the case of any Representative in the House of Representatives, other than a Representative at Large, who is a candidate for any statewide public office, any mass mailing shall not be frankable under section 3210 of title 39, United States Code, when the same is delivered to any address which is not located in the area constituting the congressional district from which any such individual was elected.

6. In the case of any Member, any mass mailing shall not be frankable under section 3210 of title 39, United States Code, when the same is postmarked less than sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which such Member is a candidate for public office. If mail matter is of a type which is not customarily postmarked, the date on which such matter would have been postmarked if it were of a type customarily postmarked shall apply.

7. For purposes of this rule—

(a) the term "mass mailing" means, with respect to a session in Congress, any mailing of newsletters or other pieces of mail with substantially identical content (whether such mail is deposited singly or in bulk, or at the same time or different times), totaling more than 500 pieces in that session, except that such term does not include any mailing—

(1) of matter in direct response to a communication from a person to whom the matter is mailed;

(2) from a Member to other Members of Congress, or to Federal, State, or local government officials; or

(3) of a news release to the communications media.

(b) The term "Member" means any Member of the House of Representaives, a Delegate to the House of Representatives, or the Resident Commissioner in the House of Representatives.

(c) The term "Members of Congress" means Senators and Representatives in, and Delegates and Resident Commissioners to, the Congress.

RULE XLVII

LIMITATIONS ON OUTSIDE EMPLOYMENT AND EARNED INCOME

1. (a)(1) Except as provided by subparagraph (2), in calendar year 1991 or thereafter, a Member or an officer or employee of the House may not—

(A) have outside earned income attributable to such calendar year which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of

title 5, United States Code, as of January 1 of such calendar year; or

(b) receive any honorarium.

(2) In the case of any individual who becomes a Member or an officer or employee of the House during calendar year 1991 or thereafter, such individual may not have outside earned income attributable to the portion of that calendar year which occurs after such individual becomes a Member, officer or employee which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of such calendar year multiplied by a fraction the numerator of which is the number of days such individual is a Member, officer, or employee during such calendar year and the denominator of which is 365.

(3) In calendar year 1991 or thereafter, any payment in lieu of an honorarium which is made to a charitable organization on behalf of a Member, officer or employee of the House may not be received by such individual. No such payment shall exceed $2,000 or be made to a charitable organization from which such individual or a parent, sibling, spouse, child, or dependent relative of such individual derives any financial benefit.

(b)(1) Except as provided by subparagraph (2), in calendar year 1990, a Member may not have outside earned income (including honoraria received in such calendar year) attributable to such calendar year which exceeds 30 percent of the annual pay as a Member to which the Member was entitled in 1989.

(2) In the case of any individual who becomes a Member during calendar year 1990, such individual may not have outside earned income (including honoraria) attributable to the portion of that calendar year which occurs after such individual becomes a Member which exceeds 30 percent of $89,500 multiplied by a fraction the numerator of which is the number of days such individual is a Member during such calendar year and the denominator of which is 365.

2. On or after January 1, 1991, a Member or an officer or employee of the House shall not—

(1) receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity which provides professional services involving a fiduciary relationship;

(2) permit that Member's, officer's, or employee's name to be used by any such firm, partnership, association, corporation, or other entity;

(3) receive compensation for practicing a profession which involves a fiduciary relationship;

(4) serve for compensation as an officer or member of the board of any association, corporation, or other entity; or

(5) receive compensation for teaching, without the prior notification and approval of the Committee on Standards of Official Conduct.

3. For the purposes of this rule—

(a) The term "Member" means any Member of the House of Representatives, a Delegate to the House of Representatives, or the Resident Commissioner in the House of Representatives.

(b)(1) Except as provided by paragraph (2), the term "officer or employee of the House" means any individual (other than a Member) whose pay is disbursed by the Clerk and who is paid at a rate equal to or greater than the annual rate of basic pay in effect for grade GS-16 of the General Schedule under section 5332 of title 5, United States Code, and so employed for more than 90 days in a calendar year.

(2) When used with respect to honoraria, the term "officer or employee of the House" means any individual (other than a Member) whose salary is disbursed by the Clerk.

(c) The term "honorarium" means a payment of money or any thing of value for an appearance, speech, or article, by a Member or an officer or employee of the House, excluding any actual and necessary travel expenses incurred by such individual (and one relative) to the extent that such expenses are paid or reimbursed by any other person, and the amount otherwise determined shall be reduced by the amount of any such expenses to the extent that such expenses are not paid or reimbursed.

(d) The term "travel expenses" means, with respect to a Member, or an officer or employee of the House, or a relative of any such individual, the cost of transportation, and the cost of lodging and meals while away from his or her residence or principal place of employment.

(e) The term "outside earned income" means, with respect to a Member, officer or employee, wages, salaries, fees, and other amounts received or to be received as compensation for personal services actually rendered but does not include—

(1) the salary of such individual as a Member, officer or employee;

(2) any compensation derived by such individual for personal services actually rendered prior to the effective date of this rule or becoming such a Member, officer or employee, whichever occurs later;

(3) any amount paid by, or on behalf of, a Member, officer or employee, to a tax-qualified pension, profit-sharing, or stock bonus plan and received by such individual from such a plan;

(4) in the case of a Member, officer or employee engaged in a trade or business in which the Member, officer or employee or his family holds a controlling interest and in which both personal services and capital are income-producing factors, any amount received by such individual so long as the personal services actually rendered by the individual in the trade or business do not generate a significant amount of income; and

(5) copyright royalties received from established publishers pursuant to usual and customary contractual terms.

Outside earned income shall be determined without regard to any community property law.

(f) The term "charitable organization" means an organization described in section 170(c) of the Internal Revenue Code of 1986.

RULE XLVIII

PERMANENT SELECT COMMITTEE ON INTELLIGENCE

1. (a) There is hereby established a permanent select committee to be known as the Permanent Select Committee on Intelligence (hereinafter in this rule referred to as the "select committee"). The select committee shall be composed of not more than nineteen Members with representation to include at least one Member from:

(1) the Committee on Appropriations;

(2) the Committee on Armed Services;

(3) the Committee on Foreign Affairs; and

(4) the Committee on the Judiciary.

(b) The majority leader of the House and the minority leader of the House shall be ex officio members of the select committee, but shall have no vote in the committee and shall not be counted for purposes of determining a quorum.

(c) No Member of the House may serve on the select committee for more than six years of continuous service. To the greatest extent practicable, at least four of the Members of the House appointed to the select committee at the beginning of each Congress shall be Members of the House who did not serve on such committee during the preceding Congress.

2. (a) There shall be referred to the select committee all proposed legislation, messages, petitions, memorials, and other matters relating to the following:

(1) The Central Intelligence Agency and the Director of Central Intelligence.

(2) Intelligence and intelligence-related activities of all other departments and agencies of the Government, including, but not limited to, the intelligence and intelligence-related activities of the Defense Intelligence Agency, the National Security Agency, and other agencies of the

Department of Defense; the Department of State; the Department of Justice; and the Department of the Treasury.

(3) The organization or reorganization of any department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence or intelligence-related activities.

(4) Authorizations for appropriations, both direct and indirect, for the following:

(A) The Central Intelligence Agency and Director of Central Intelligence.

(B) The Defense Intelligence Agency.

(C) The National Security Agency.

(D) The intelligence and intelligence-related activities of other agencies and subdivisions of the Department of Defense.

(E) The intelligence and intelligence-related activities of the Department of State.

(F) The intelligence and intelligence-related activities of the Federal Bureau of Investigation, including all activities of the Intelligence Division.

(G) Any department, agency, or subdivision which is the successor to any agency named in subdivision (A), (B), or (C); and the activities of any department, agency, or subdivision which is the successor to any department, agency, bureau, or subdivision named in subdivision (D), (E), or (F), to the extent that the activities of such successor department, agency, or subdivision are activities described in subdivision (D), (E), or (F).

(b) Any proposed legislation initially reported by the select committee, except any legislation involving matters specified in subparagraph (1) or (4)(A) of paragraph (a), containing any matter otherwise within the jurisdiction of any standing committee shall, at the request of the chairman of such standing committee, be referred to such standing committee by the Speaker for its consideration of such matter and be reported to the House by such standing committee within the time prescribed by the Speaker in the referral; and any proposed legislation initially reported by any committee, other than the select committee, which contains any matter within the jurisdiction of the select committee shall, at the request of the chairman of the select committee, be referred by the Speaker to the select committee for its consideration of such matter and be reported to the House within the time prescribed by the Speaker in the referral.

(c) Nothing in this rule shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence or intelligence-related activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

(d) Nothing in this rule shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the House to obtain full and prompt access to the product of the intelligence and intelligence-related activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

3. (a) The select committee, for the purposes of accountability to the House, shall make regular and periodic reports to the House on the nature and extent of the intelligence and intelligence-related activities of the various departments and agencies of the United States. Such committee shall promptly call to the attention of the House or to any other appropriate committee or committees of the House any matters requiring the attention of the House or such other committee or committees. In making such reports, the select committee shall proceed in a manner consistent with clause 7 to protect national security.

(b) The select committee shall obtain an annual report from the Director of the Central Intelligence Agency, the Secretary of Defense, the Secretary of State, and the Director of the Federal Bureau of Investigation. Such reports shall review the intelligence and intelligence-related activities of the agency or department concerned and the intelligence and intelligence-related activities of foreign countries directed at the United States or its interest. An unclassified version of each report may be made available to the public at the discretion of the select committee. Nothing herein shall be construed as requiring the public disclosure in such reports of the names of individuals engaged in intelligence or intelligence-related activities for the United States or the divulging of intelligence methods employed or the sources of information on which such reports are based or the amount of funds authorized to be appropriated for intelligence and intelligence-related activities.

(c) On or before March 15 of each year, the select committee shall submit to the Committee on the Budget of the House the views and estimates described in section 301(c) of the Congressional Budget Act of 1974 regarding matters within the jurisdiction of the select committee.

4. To the extent not inconsistent with the provisions of this rule, the provisions of clauses 1, 2, 3, and 5 (a), (b), (c), and (6) (a), (b), (c) of rule XI shall apply to the select committee, except that, notwithstanding the requirements of the first sentence of clause 2(g)(2) of rule XI, a majority of those present, there being in attendance the requisite number required under the rules of the select committee to be present for the purpose of taking testimony or receiving evidence, may vote to close a hearing whenever the majority determines that such testimony or evidence would endanger the national security.

5. No employee of the select committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has (1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of the select committee as to the security of such information during and after the period of his employment or contractual agreement with such committee); and (2) received an appropriate security clearance as determined by such committee in consultation with the Director of Central Intelligence. The type of security clearance to be required in the case of any such employee or person shall, within the determination of such committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

6. The select committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines that national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

7. (a) The select committee may, subject to the provisions of this clause, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this clause, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the select committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this clause.

(b)(1) In any case in which the select committee votes to disclose publicly

any information which has been classified under established security procedures, which has been submitted to it by the executive branch, and which the executive branch requests be kept secret, such committee shall notify the President of such vote.

(2) The select committee may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the committee that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the select committee of his objections to the disclosure of such information as provided in subparagraph (2), such committee may, by majority vote, refer the question of this disclosure of such information with a recommendation thereon to the House for consideration. The committee shall not publicly disclose such information without leave of the House.

(4) Whenever the select committee votes to refer the question of disclosure of any information to the House under subparagraph (3), the chairman shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(5) If within four calendar days on which the House is in session, after such recommendation is reported, no motion has been made by the chairman of the select committee to consider, in closed session, the matter reported under subparagraph (4), then such a motion will be deemed privileged and may be made by any Member. The motion under this subparagraph shall not be subject to debate or amendment. When made, it shall be decided without intervening motion, except one motion to adjourn.

(6) If the House adopts a motion to resolve into closed session, the Speaker shall then be authorized to declare a recess subject to the call of the Chair. At the expiration of such recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the select committee?"

(7) After not more than two hours of debate on the motion, such debate to be equally divided and controlled by the chairman and ranking minority member of the select committee, or their designees, the previous question shall be considered as ordered and the House, without intervening motion except one motion to adjourn, shall immediately vote on the question, in open session but without divulging the information with respect to which the vote is being taken. If the recommendation of the select committee is not agreed to, the question shall be deemed recommitted to the select committee for further recommendation.

(c)(1) No information in the possession of the select committee relating to the lawful intelligence or intelligence-related activities of any department or agency of the United States which has been classified under established security procedures and which the select committee, pursuant to paragraphs (a) or (b) of this clause, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the House except as provided in subparagraph (2) and (3).

(2) The select committee shall, under such regulations as the committee shall prescribe, make any information described in subparagraph (1) available to any other committee or any other Member of the House and permit any other Member of the House to attend any hearing of the committee which is closed to the public. Whenever the select committee makes such information available (other than to the Speaker), the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the House received such information. No Member of the House who, and no committee which, receives any information under this subparagraph, shall disclose such information except in a closed session of the House.

(3) The select committee shall permit the Speaker to attend any meeting of the committee and to have access to any information in the possession of the committee.

(d) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, officer, or employee of the House in violation of paragraph (c) and report to the House concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

8. The select committee is authorized to permit any personal representative of the President, designated by the President to serve as a liaison to such committee, to attend any closed meeting of such committee.

9. Subject to the rules of the House, no funds shall be appropriated for any fiscal year, with the exception of a continuing bill or resolution continuing appropriations, or amendment thereto, or conference report thereon, to, or for use of, any department or agency of the United States to carry out any of the following activities, unless such funds shall have been previously authorized by a bill or joint resolution passed by the House during the same or preceding fiscal year to carry out such activity for such fiscal year:

(a) The activities of the Central Intelligence Agency and the Director of Central Intelligence.

(b) The activities of the Defense Intelligence Agency.

(c) The activities of the National Security Agency.

(d) The intelligence and intelligence-related activities of other agencies and subdivisions of the Department of Defense.

(e) The intelligence and intelligence-related activities of the Department of State.

(f) The intelligence and intelligence-related activities of the Federal Bureau of Investigation, including all activities of the Intelligence Division.

10. (a) As used in this rule, the term "intelligence and intelligence-related activities" includes (1) the collection, analysis, production, dissemination, or use of information which relates to any foreign country, or any government, political group, party, military force, movement, or other association in such foreign country, and which relates to the defense, foreign policy, national security, or related policies of the United States, and other activity which is in support of such activities; (2) activities taken to counter similar activities directed against the United States; (3) covert or clandestine activities affecting the relations of the United States with any foreign government, political group, party, military force, movement, or other association; (4) the collection, analysis, production, dissemination, or use of information about activities of persons within the United States, its territories and possessions, or nationals of the United States abroad whose political and related activites pose, or may be considered by any department, agency, bureau, office, division, instrumentality, or employee of the United States to pose, a threat to the internal security of the United States, and covert or clandestine activities directed against such persons.

(b) As used in this rule, the term "department or agency" includes any organization, committee, council, establishment, or office within the Federal Government.

(c) For purposes of this rule, reference to any department, agency, bureau, or subdivision shall include reference to any successor department, agency, bureau, or subdivision to the extent that such successor engages in intelligence or intelligence-related activities now conducted by the department, agency, bureau, or subdivision referred to in this rule.

11. Clause 6(a) of rule XXVIII does not apply to conference committee meetings respecting legislation (or any part thereof) reported from the Permanent Select Committee on Intelligence.

RULE XLIX

ESTABLISHMENT OF STATUTORY LIMIT ON THE PUBLIC DEBT

1. Upon the adoption by the Congress (under section 301 or 304 of the Congressional Budget Act of 1974) of any concurrent resolution on the budget setting forth as the appropriate level of the public debt for the period to which such concurrent resolution relates an amount which is different from the amount of the statutory limit on the public debt that would otherwise be in effect for such period, the enrolling clerk of the House of Representatives shall prepare an engrossment of a joint resolution, in the form prescribed in clause 2, increasing or decreasing the statutory limit on the public debt. The vote by which the conference report on the concurrent resolution on the budget was agreed to in the House (or by which the concurrent resolution itself was adopted in the House, if there is no conference report) shall be deemed to have been a vote in favor of such joint resolution upon final passage in the House of Representatives. Upon the engrossment of such joint resolution it shall be deemed to have passed the House of Representatives and been duly certified and examined; the engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action; and (upon final passage by both Houses) the joint resolution shall be signed by the presiding officers of both Houses and presented to the President for his signature (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

2. The matter after the resolving clause in any joint resolution described in clause 1 shall be as follows: "That subsection (b) of section 3101 of title 31, United States Code, is amended by striking out the dollar limitation contained in such subsection and inserting in lieu thereof '$ '.", with the blank being filled in with a limitation equal to the appropriate level of the public debt as set forth, pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, in the concurrent resolution on the budget (whether such resolution was adopted under section 301, 304, or 310 of such Act). Only one joint resolution shall be prepared under clause 1 upon the adoption of any concurrent resolution on the budget; and, if the concurrent resolution set forth a different appropriate level of the public debt (pursuant to such section 301(a)(5)) for each of two separate periods, the blank referred to in the preceding sentence shall be filled in with both the limitation which is to apply for the later of the two periods (specifying the date on which that limitation is to take effect) and the limitation which is to apply for the earlier of such periods.

3. The report of the Committee on the Budget of the House of Representatives accompanying any concurrent resolution on the budget under section 301(d) of the Congressional Budget Act of 1974, as well as the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, shall contain a clear statement of the effect under this rule that the adoption by both the House and the Senate of such concurrent resolution in the form in which it is being reported (and the adoption of the joint resolution thereupon prepared and enrolled under clause 1) would have upon the statutory limit on the public debt. It shall not be in order in the House of Representatives at any time to consider or adopt any concurrent resolution on the budget (or agree to any conference report thereon) if at that time the report accompanying such concurrent resolution (or the joint statement accompanying such conference report) does not comply with the requirements of this clause.

4. Nothing in this rule shall be construed as limiting or otherwise affecting the power of the House of Representatives or the Senate to consider and pass a bill which (without regard to the procedures under clause 1) changes the statutory limit on the public debt most recently established under this rule or otherwise; and the rights of Members and committees of the House with respect to the introduction, consideration, and reporting of any such bill shall be determined as though this rule had not been adopted.

5. As used in this rule, the term "statutory limit on the public debt" means the maximum face amount of obligations issued under authority of chapter 31 of title 31, United States Code and obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), determined under section 3101(b) of title 31 after the application of section 3101(a) of title 31 which may be outstanding at any one time.

RULE L

PROCEDURE FOR RESPONSE TO SUBPOENAS

1. When any Member, officer, or employee of the House of Representatives is properly served with a subpoena or other judicial order directing appearance as a witness relating to the official functions of the House or for the production or disclosure of any documents relating to the official functions of the House, such Member, officer, or employee shall comply, consistently with the privileges and rights of the House, with said subpoena or other judicial order as hereinafter provided, unless otherwise determined pursuant to the provisions of this rule.

2. Upon receipt of a properly served subpoena or other judicial order directing appearance as a witness relating to the official functions of the House or for the production or disclosure of any documents relating to the official functions of the House, such Member, officer, or employee shall promptly notify, in writing, the Speaker of its receipt and such notification shall then be promptly laid before the House by the Speaker, except that during a period of recess or adjournment of longer than three days, no such notification to the House shall be required. However, upon the reconvening of the House, such notification shall then be promptly laid before the House by the Speaker.

3. Once notification has been laid before the House, the Member, officer, or employee shall determine whether the issuance of the subpoena or other judicial order is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House. The Member, officer, or employee shall notify the Speaker prior to seeking judicial determination of these matters.

4. Upon determination whether the subpoena or other judicial order is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House, the Member, officer, or employee shall immediately notify, in writing, the Speaker of such a determination.

5. The Speaker shall inform the House of the determination of whether the subpoena or other judicial order is a proper exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House, and shall generally describe the records or information sought, except that during any recess or adjournment of the House for longer than three days, no such notification is required. However, upon the reconvening of the House, such notification shall then be promptly laid before the House by the Speaker.

6. Upon such notification to the House that said subpoena is a proper

exercise of the court's jurisdiction, is material and relevant, and is consistent with the privileges and rights of the House, the Member, officer, or employee shall comply with such subpoena or other judicial order by supplying certified copies, unless the House adopts a resolution to the contrary; except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied. Should the House be in recess or adjournment for longer than three days, the Speaker may authorize compliance or take such other action as he deems appropriate under the circumstances during the pendency of such recess or adjournment. And upon the reconvening of the House, all matters having transpired under this clause shall be laid promptly before the House by the Speaker.

7. A copy of this rule shall be transmitted by the Clerk of the House to any of said courts whenever any such subpoena or other judicial order is issued and served on a Member, officer, or employee of the House.

8. Nothing in this rule shall be construed to deprive, condition or waive the constitutional or legal rights applicable or available to any Member, officer, or employee of the House, or of the House itself, or the right of a Member or the House to assert such privilege or right before any court in the United States, or the right of the House thereafter to assert such privilege or immunity before any court in the United States.

RULE LI

EMPLOYMENT PRACTICES

1. The provisions of the Fair Employment Practice Resolution, House Resolution 558 of the 100th Congress, are applicable to Members, officers, employees and employment positions of the House.

2. The Committee on House Administration shall have authority to issue rules and regulations applying the rights and protections of the Fair Labor Standards Act in the House, including, but not limited to, determination of exemption categories, permitting the use of compensatory time as compensation under the maximum work week provisions of the Act, describing the record keeping requirements and providing that such record keeping provisions do not apply with respect to employees exempted pursuant to the Committee's Rules and Regulations.

[The text of the Fair Employment Practices Resolution (H. Res. 558, 100th Congress) reads as follows:]

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Fair Employment Practices Resolution".

SEC. 2. NONDISCRIMINATION IN HOUSE OF REPRESENTATIVES EMPLOYMENT.

(a) IN GENERAL.—Personnel actions affecting employment positions in the House of Representatives shall be made free from discrimination based on race, color, national origin, religion, sex (including marital or parental status), handicap, or age.

(b) INTERPRETATIONS.—Interpretations under subsection (a) shall reflect the principles of current law, as generally applicable to employment.

(c) CONSTRUCTION.—Subsection (a) does not prohibit the taking into consideration of—

(1) the domicile of an individual with respect to a position under the clerk-hire allowance; or

(2) the political affiliation of an individual with respect to a position under the clerk-hire allowance or a position on the staff of a committee.

SEC. 3. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

The procedure for consideration of alleged violations of section 2 consists of 3 steps as follows:

(1) Step I, Counseling and Mediation, as set forth in section 5.

(2) Step II, Formal Complaint, Hearing, and Review by the Office of Fair Employment Practices, as set forth in section 6.

(3) Step III, Final Review by Review Panel, as set forth in section 7.

SEC. 4. ESTABLISHMENT OF OFFICE OF FAIR EMPLOYMENT PRACTICES.

There is established an Office of Fair Employment Practices (hereafter in this resolution referred to as the "Office"), which shall carry out functions assigned under this resolution. Employees of the Office shall be appointed by, and serve at the pleasure of, the Chairman and the ranking minority party member of the Committee on House Administration, acting jointly, and shall be under the administrative direction of the Clerk of the House of Representatives. The Office shall be located in the District of Columbia and shall begin operation not more than 90 days after the date on which this resolution is agreed to.

SEC. 5. STEP I: COUNSELING AND MEDIATION.

(a) COUNSELING.—An individual aggrieved by an alleged violation of section 2 may request counseling by counselors in the Office, who shall provide information with respect to rights and related matters under that section. A request for counseling shall be made not later than 180 days after the alleged violation and may be oral or written, at the option of the individual. The period for counseling is 30 days. The Office may not notify the employing authority of the counseling before the beginning of mediation or the filing of a formal complaint, whichever occurs first.

(b) MEDIATION.—If, after counseling, the individual desires to proceed, the Office shall attempt to resolve the alleged violation through mediation between the individual and the employing authority.

SEC. 6. STEP II: FORMAL COMPLAINT, HEARING, AND REVIEW BY THE OFFICE OF FAIR EMPLOYMENT PRACTICES.

(a) FORMAL COMPLAINT AND REQUEST FOR HEARING.—Not later than 15 days after the end of the counseling period, the individual may file a formal complaint with the Office. Not later than 10 days after filing the formal complaint, the individual may file with the Office a written request for a hearing on the complaint.

(b) HEARING.—The hearing shall be conducted—

(1) not later than 10 days after filing of the written request under subsection (a), except that the Office may authorize a delay of not more than 30 days for investigation;

(2) on the record by an employee of the Office; and

(3) to the greatest extent practicable, in accordance with the principles and procedures set forth in sections 555 and 556 of title 5, United States Code.

(c) DECISION.—Not later than 20 days after the hearing, the Office shall issue a written decision to the parties. The decision shall clearly state the issues raised by the complaint, and shall contain a determination as to whether a violation of section 2 has occurred.

SEC. 7. STEP III: FINAL REVIEW BY REVIEW PANEL.

(a) IN GENERAL.—Not later than 20 days after the issuance of the decision under section 6, any party may seek final review of the decision by filing a written request with the Office. The final review shall be conducted by a panel constituted at the beginning of each Congress and composed of—

(1) 2 elected officers of the House of Representatives, appointed by the Speaker;

(2) 2 employees of the House of Representatives appointed by the minority leader of the House of Representatives;

(3) 2 members of the Committee on House Administration (one of whom shall be appointed as chairman of the panel), appointed by the Chairman of that Committee; and

(4) 2 members of the Committee on House Administration, appointed by the ranking minority party member of that Committee.

If any member of the panel withdraws from a particular review, the appointing authority for such member shall appoint another officer, employee, or Member of the House of Representatives, as the case may be, to be a temporary member of the panel for purposes of that review only.

(b) REVIEW AND DECISION.—The review under this section shall consist of a hearing (conducted in the manner described in section 6(b)(3)), if such hearing is considered necessary by the panel, and an examination of the record, together with any statements or other documents the panel deems appropriate. A tie vote by the panel is an affirmation of the decision of the Office. The panel shall complete the review and submit a written decision to the parties and to the Committee on House Administration not later than 30 days after filing of the request under subsection (a).

SEC. 8. RESOLUTION BY AGREEMENT.

If, after a formal complaint is filed under section 6, the parties resolve the issues involved, the parties shall enter into a written agreement, which shall be effective—

(1) in the case of a matter under review by the Office under section 6, if approved by the Office; and

(2) in the case of a matter under review by a panel under section 7, if approved by the panel.

SEC. 9. REMEDIES.

The Office or a review panel, as the case may be, may order the following remedies:

(1) Monetary compensation, to be paid from the contingent fund of the House of Representatives.

(2) In the case of a serious violation, a payment in addition to compensation under paragraph (2), to be paid from the clerk-hire allowance of a Member of the House, or from personnel funds of a committee of the House or other entity, as appropriate.

(3) Injunctive relief.

(4) Costs and attorney fees.

(5) Employment, reinstatement to employment, or promotion (with or without back pay).

SEC. 10. COSTS OF ATTENDING HEARINGS.

An individual with respect to whom a hearing is held under this resolution shall be reimbursed for actual and reasonable costs of attending the hearing, if the individual resides outside the District of Columbia.

SEC. 11. PROHIBITION OF INTIMIDATION.

Any intimidation of, or reprisal against, any person by an employing authority because of the exercise of a right under this resolution is a violation of section 2.

SEC. 12. CLOSED HEARINGS AND CONFIDENTIALITY.

All hearings under this resolution shall be closed. All information relating to any procedure under this resolution is confidential, except that a decision of the Office under section 6 or a decision of a review panel under section 7 shall be published, if the decision constitutes a final disposition of the matter.

SEC. 13. EXCLUSIVITY OF PROCEDURES AND REMEDIES.

The procedures and remedies under this resolution are exclusive except to the extent that the Rules of the House of Representatives and the rules of the House Committee on Standards of Official Conduct provide for additional procedures and remedies.

SEC. 14. DEFINITIONS.

As used in this resolution—

(1) the term "employment position" means, with respect to the House of Representatives, a position the pay for which is disbursed by the Clerk of the House of Representatives, and any employment position in a legislative service organization or other entity that is paid through funds derived from the clerk-hire allowance;

(2) the term "employing authority" means, the Member of the House of Representatives or elected officer of the House of Representatives with the power to appoint the employee;

(3) the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress; and

(4) the term "elected officer of the House of Representatives" means an elected officer of the House of Representatives (other than the Speaker and the Chaplain).